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Second Session, 37<sup>th</sup> Parliament

Assemblée législative  
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## Official Report of Debates (Hansard)

## Journal des débats (Hansard)

Wednesday 20 June 2001

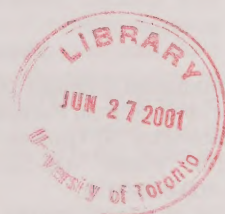
Mercredi 20 juin 2001

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers



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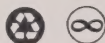
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 20 June 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 20 juin 2001

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### EDUCATION FUNDING

**Mr Gerry Phillips (Scarborough-Agincourt):** I want to express my significant concern about the government's plan to ram through its public funding for private schools. The public should be aware that this is a huge change to public education that will fundamentally change public education in Ontario.

I quote from the National Citizens' Coalition, which said, "This is the most significant development in education going on in North America." The Fraser Institute said it's the biggest change and most important change in education in 100 years. Both of these very conservative organizations have spelled it out for us: this is a huge change.

The second point I want to make to the public of Ontario: you should get a copy of Premier Harris's brief to the United Nations two years ago, where he, on behalf of Ontario, argued strenuously against doing this. There is strong language in this brief that said it's wrong to do it. A major paper calls this a huge flip-flop by Premier Harris.

We've asked for evidence of why they changed their minds. Mr Flaherty has refused to give us any evidence at all. We said, "How do you arrive at the \$300 million?" He refused to table with us any evidence of how they arrived at that. So, while public education is being attacked daily by this government, Ontario taxpayers are going to spend \$500 million that could have been better spent strengthening our public education system.

#### ONTARIO EDUCATIONAL LEADERSHIP CAMP

**Mr Garfield Dunlop (Simcoe North):** Today I am pleased to be able to introduce to you the board of directors of the Ontario Educational Leadership Camp, which is located on the east shore of beautiful Lake Couchiching, which is located in my riding of Simcoe North.

The Ontario Educational Leadership Camp, established in 1948 by Mr Gordon Wright, principal of Banting Memorial High School, Minister Jim Wilson's former school, in Alliston, Ontario, provides leadership

training and education to more than 2,000 young men and women each year. In addition, the Ontario Educational Leadership Camp, which is in its 52nd year of operation, is managed by a volunteer board of directors, and partners with organizations such as the Ontario Provincial Police auxiliary program to make use of the facilities on a more year-round basis.

Today I was joined by Minister Tsubouchi in presenting volunteer certificates to the board of directors of the OELC. I want to thank the board again for their efforts in administering the programs at OELC that will no doubt continue to produce our leaders of tomorrow.

I'd like to recognize Mr Terry Harkins, president; Ms Jane Cutler, vice-president; Anthony Burley, secretary-treasurer; Bette Turner, Eric Runacres, Gilles Metivier, Beccy Rodgers, Beverly Comfort, Rock Lachance and Jacques Riopelle. I'd like to acknowledge them.

#### SMALL BUSINESS

**Mr Ernie Parsons (Prince Edward-Hastings):** My statement today is to the Minister of Finance. Minister, there is a group of citizens in this province who need protection from you, and they are the small business owners. The retail sales tax branch has been going in and doing audits on a number of firms, and unfortunately, in some cases, hasn't even been going in. They've simply been doing a reassessment based on the provincial averages. They are then confronting these small business owners with reassessments of \$75,000 or \$100,000.

Now, here is where the whole system breaks down. Normally in Ontario, one is presumed innocent until proven guilty. In order for these small business owners to appeal this reassessment, which actually never took place within their offices, they must pay the reassessment in full. For many of these owners, \$75,000 or \$100,000 is simply not possible with their cash flow situation. And if they do pay the money, it is still a year or better, at times, before the assessment is held.

Minister, these small business owners deserve to be treated with dignity. The majority of jobs in this province exist because of our small business owners. They don't need reassessments done arbitrarily at length; they need reassessments done on a legitimate audit of their books. I call upon you to introduce fairness into the system and to allow these small business owners to continue to operate. Give them the opportunity to make the appeal before they are faced with a penalty and then the backlog of getting

their money back. We need to help our small business owners, not punish them.

### MULTICULTURAL EVENTS

**Mr Wayne Wettlaufer (Kitchener Centre):** This weekend, the annual multicultural festival will take place, centred in my riding of Kitchener Centre. This year marks the 34th year for this outstanding cultural event. Members of this House may be surprised to learn that Kitchener-Waterloo is the fourth-largest immigrant centre in Canada. That means Kitchener-Waterloo is recognized throughout the world as one of the wonderful places in this truly great country to call home and raise a family.

This weekend, tens of thousands of people, including many visitors and tourists from foreign shores, will attend the multicultural celebrations. What the visitors and tourists will experience is a community that has learned that the diversity in the cultural, racial, national and ethnic makeup of the community is a source of pride and a reason for celebration.

Canada is a model to the rest of the world for the successful blending of peoples from all parts of the world. Our community is a model for the rest of the country in how peoples from widely diverse backgrounds can live together in a state of respect and harmony.

This weekend, I will attend this year's Multicultural Summer Festival to celebrate and enjoy the foods, dancing, crafts, displays and sporting events in Victoria Park, located in the centre of my riding. The activities will include people with backgrounds from India, the Philippines, Santo Domingo, Russia, the Sudan, Germany, Laos, Bosnia, the Ukraine, South America, Vietnam, Greece, the Arab countries, Ethiopia and Belgium, to name but a few. I invite all members of this House, and all viewers, to come to Kitchener to join me in this celebration of international respect and to experience the joy of a truly multicultural community.

Congratulations to Myrta Rivera and the Kitchener-Waterloo Multicultural Centre.

### MENTAL HEALTH SERVICES

**Mrs Marie Bountrogianni (Hamilton Mountain):** In my riding of Hamilton Mountain there is a residence called Hillview Manor, which specializes in the care of mentally and physically challenged individuals from our community. The residents of Hillview Manor suffer from chemical imbalances, brain injuries, epilepsy, behaviour and mood disorders, and alcohol and drug abuse.

As advocated by the best-practice models, these patients are encouraged to pursue an independent lifestyle. They are able to come and go in the community, attend religious institutions, do their banking and shopping, and utilize public transit. The staff and management at Hillview Manor do their utmost to service their patients' needs and to provide a safe and warm environment.

Up until one and a half years ago, mental health services used to come to the home. Now, with cuts in funding, that service is no longer available. There is no access to a psychologist available to the residents. There are not enough case managers available, and these sick, elderly patients have to travel to see them.

Hillview Manor struggles to make its funding cover all the essentials; however, the residents in the neighbourhood are never sure about the state of the patients' mental health, and how can they be? These patients struggle with some of the most challenging issues and are at times a danger in the community.

With downloading and restructuring, there is no inspector, no clear standards. The rules to access funding are so restrictive that these types of homes, which provide an essential service to the community, cannot gain an increase in funds.

The government must investigate the situation around Hillview Manor. Because of cuts made by this government to the funding available to Hillview, conditions have deteriorated to the point of having an unsafe environment. Shame on Mike Harris for making the most elderly and frail suffer in our society.

1340

### LONG-TERM CARE

**Ms Frances Lankin (Beaches-East York):** Last week I suggested to the Premier that perhaps he would like to take up a challenge from me and work an eight-hour shift in one of Ontario's long-term-care facilities. I don't think the Premier has had a chance to do that yet, with his busy schedule, but I want to tell you, Mr Speaker, that as I indicated to him last week, I intended to do that and I have done that.

I spent last Wednesday in Ottawa at the Perley and Rideau Veterans' Health Centre, and it was eight hours of amazing enlightenment for me. The intent was that I would spend that shift with front-line workers and see the daily routine and how hard they work to try and give the best services to the residents.

I saw situations where personal support workers were responsible for eight to 10 residents, to get them up in the morning, to get them toileted, washed, dressed, into breakfast, and quite frankly they couldn't do it. Those residents who were heavier care, who were just too hard to deal with, ended up staying in bed and were dealt with later in the day. I saw wards where there was one RN for 80 residents.

Recently, Price Waterhouse put out a report calling on the government and expressing the need to restore nursing levels in our long-term-care facilities, to increase the per diem average of resident and government co-payments to \$125. It is so urgent. I've seen it with my own eyes. I spent the time on the front lines with those residents, with their families, with the staff. It's urgent. I call on the government to act.

## CONESTOGO DAM

**Mr Ted Arnott (Waterloo-Wellington):** With regret, I must again address the House on the need for provincial funding to repair the gates on the Conestogo dam, an issue that should have been resolved months ago.

The repairs will cost between \$1.2 million and \$1.5 million, a burden that the Grand River Conservation Authority and the watershed municipalities should not have to bear alone.

It continues to be my position that the province should become a major funding partner for these repairs and that they should consider funding the maintenance of flood control structures throughout the province. The Conestogo dam is essential, and without the necessary repairs, in a worst-case scenario, lives could be lost in a flood and drinking water downstream could be at risk.

I have expressed these points directly with the Premier and the Minister of Natural Resources, whom I thank for meeting with us and for supporting further discussions with the chair and CEO of SuperBuild, David Lindsay. However, in a written response I recently received from David Lindsay, there is still no indication whether provincial support will be available, and so I'm compelled to continue to raise this matter. I do so with the support of my constituents, who also realize that this is a top priority issue for Waterloo-Wellington.

With that in mind, I am pleased to acknowledge my guests here in the east gallery: Mapleton Mayor Carl Hall; Councillor Jim Curry is here, as well as CAO Patty Sinnamon. Councillors Mike Downey and Earl Campbell will arrive shortly, I think. The Conestogo dam is located in their township.

I look forward to joining Mayor Hall and council for their tour of the Conestogo dam on Monday, June 25. In addition to serving as mayor, Mr Hall is also chair of our rural water quality program review committee.

It is my hope that the tour will generate the support and information needed to convince the government to help us fix the Conestogo dam.

## ONTARIO DRUG BENEFIT PROGRAM

**Mr Michael Gravelle (Thunder Bay-Superior North):** I want to speak this afternoon on behalf of all the seniors in my riding who are justifiably furious about the Premier's and the health minister's threat to terminate the universality of drug coverage for Ontario's seniors.

On top of the government's funding freeze to our vital home care sector, this public musing about eliminating the universality of drug coverage has provoked a response from my constituents that I have rarely seen.

The seniors I have spoken to are certainly angry. They believe they have earned the right to receive this support through their contributions over a lifetime. But they are also frightened about what this will mean to their future security and quality of life.

What is so cruel about this trial balloon is that it is taking place during Seniors' Month, the time when we

celebrate the contribution our seniors have made and are continuing to make to the betterment of our province. What a tribute from the province.

Let me be clear. Mike Harris and the Minister of Health, Tony Clement, must back off from this threat, and they should also apologize to every senior in the province. It is vital that this happen before the House rises next week, because the fear we have is that over the summer, while the Legislature is not sitting, the government will use its regulatory powers to increase the co-payment seniors already pay for their drug coverage. Such a sneak attack would be unconscionable, but it would not be the first time this government has used its regulatory powers to pile on user fees to our seniors.

So I say to Premier Harris and Health Minister Clement: back off. Our seniors deserve much better than this kind of treatment.

## EVENTS IN NORTHUMBERLAND COUNTY

**Mr Doug Galt (Northumberland):** I rise in the House today to announce the Cobourg Waterfront Festival being held this year on Saturday, June 30, Sunday, July 1 and Monday, July 2. The town of Cobourg has a wonderful schedule of events, with shows and entertainment planned for the upcoming July long weekend.

It will be three days of fabulous fun, with more than 250 artists and crafters, a Canada Day parade at 11 am on the Saturday, gigantic fireworks at dusk on July 1 and an exciting midway for the child in all of us.

Several community groups are contributing this year to the success of the weekend. The Lions Club of Cobourg will have an art show and sale featuring 100 well-known artists from across Canada. The Rotary Club of Cobourg is having a craft sale with more than 175 of Canada's premier crafters. The Cobourg District Chamber of Commerce, along with Post Cereals, will be offering a delicious pancake, sausage and cereal breakfast from 7:30 am until 10 am daily.

This is one of the largest, best organized and most interesting Canada Day celebrations in the province. I urge all Ontarians to consider joining us in Cobourg for what has become a fantastic weekend of fun and frolic on Cobourg's beautiful waterfront.

## VISITORS

**Ms Marilyn Mushinski (Scarborough Centre):** Mr Speaker, I'd like to take this opportunity to welcome a great group of grade 5 students from Pringdale Gardens public school in my riding of Scarborough Centre who are here in the east gallery.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**The Speaker (Hon Gary Carr):** I beg to inform the House that today the Clerk received the eighth report of the standing committee on government agencies. Pursuant to standing order 106(e), the report is deemed to be adopted by the House.

### STANDING COMMITTEE ON JUSTICE AND SOCIAL POLICY

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I beg leave to present a report from the standing committee on justice and social policy and move its adoption.

**Clerk at the Table (Mr Todd Decker):** Your committee begs to report the following bill as amended:

Bill 58, An Act to ensure the provision of essential ambulance services in the event of a strike or lock-out of ambulance workers / *Projet de loi 58, Loi visant à assurer la fourniture des services d'ambulance essentiels dans l'éventualité d'une grève ou d'un lock-out de préposés aux services d'ambulance.*

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

**Mr Garfield Dunlop (Simcoe North):** I beg leave to present a report from the standing committee on regulations and private bills and move its adoption.

**Clerk at the Table (Mr Todd Decker):** Your committee begs to report the following bills without amendment:

Bill Pr8, An Act to revive 1072550 Ontario Limited.

Bill Pr11, An Act to amend The Welland-Port Colborne Airport Act, 1976.

Bill Pr14, An Act to revive 1150982 Ontario Inc.

Bill Pr16, An Act to revive 1252563 Ontario Limited.

Bill Pr17, An Act to revive RDP Computer Consulting Inc.

Bill Pr19, An Act to revive 569924 Ontario Limited.

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted? Agreed.

### SPEAKER'S RULING

**The Speaker (Hon Gary Carr):** The member for Whitby-Ajax has provided me with written notice of a point of privilege. I'd like to thank the minister for giving me sufficient time to carefully review the matter.

I wish to advise that I will be deciding on this matter without further hearing directly from the member at this time, as standing order 21(d) permits me to do.

The member's point relates to press reports concerning the vandalism that occurred last week at his Whitby constituency office, and specifically to quotes in those press reports attributed to the leader of the official opposition.

I think the minister will know, and I will now remind him and the House, that comments made outside of this place by other members lie outside the purview of the Speaker. The rules of debate as set out in the standing orders do not apply beyond proceedings in Parliament and, while a member may take strong exception to something said, this would constitute a personal disagreement but not a valid case of privilege.

However, I will say to the minister I note that the minister's written note to me also indirectly refers to the incident itself which occurred at his office last week, and I know the minister will be aware that the issue was raised in a point of privilege by the member for Oak Ridges, the Honourable Mr Klees. I am currently considering that matter and will be reporting back to the House in due course.

1350

## INTRODUCTION OF BILLS

### KEELE VALLEY CLOSURE ACT, 2001

#### LOI DE 2001 SUR LA FERMETURE DE KEELE VALLEY

Mr McGuinty moved first reading of the following bill:

Bill 84, An Act to provide for the closure of the Keele Valley waste disposal site and to amend the Waste Management Act, 1992 / *Projet de loi 84, Loi prévoyant la fermeture du lieu d'élimination des déchets de Keele Valley et modifiant la Loi de 1992 sur la gestion des déchets.*

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. We've had enough time. We've had our fun. We now need to proceed. The members have had their fun and their little chuckle.

Is it the pleasure of the House that the motion carry? Carried.

The member, for a short statement.

**Mr Dalton McGuinty (Leader of the Opposition):** What this bill does is revoke the certificate of approval to operate the Keele Valley waste disposal site effective December 31, 2002. The bill provides a guarantee to local residents that the Keele Valley waste disposal site will be closed by 2002.

PATIENT RESTRAINTS  
MINIMIZATION ACT, 2001

LOI DE 2001 SUR LA RÉDUCTION  
AU MINIMUM DE L'UTILISATION  
DE LA CONTENTION SUR LES MALADES

Ms Lankin moved first reading of the following bill:

Bill 85, An Act to minimize the use of restraints on patients in hospitals and on patients of facilities / Projet de loi 85, Loi visant à réduire au minimum l'utilisation des moyens de contention sur les malades des hôpitaux et des établissements.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member, for a short statement.

**Ms Frances Lankin (Beaches-East York):** If I may begin, I want to thank sincerely the members of this House in all three parties who supported my earlier bill on second reading and at committee. As you know, that bill died on the order paper.

The bill I am reintroducing today is a bill that has taken into account what we heard at committee and, I am thrilled to say, has been drafted in consultation with the Minister of Health, with staff from his political office, as well as policy and legal staff from the ministry.

We have gone a long way to addressing the concerns that have been raised. It is a bill that will prohibit hospitals from restraining except in circumstances where serious bodily harm may occur. It will require hospitals to have policies. It will require training of staff. It will require measures to reduce the use of restraints. It will have regulations that will set out monitoring. It covers basically the same issues but in a way that I think stakeholders will find acceptable.

The collaborative work—and my true appreciation to the Minister of Health on this—I think speaks to the nature of this bill, that it is not a partisan or ideological bill.

Our intent is that, over the course of the summer, major stakeholders who have now been given a copy of the bill will have an opportunity to provide comment. The Ontario Hospital Association is currently devising new policy on minimizing the use of restraint as a result of the work of this Legislature and our committee. We hope that that will come forward in the fall and be incorporated into the regulations of the bill. So no further action will be taken at this time, but it is the opinion of the government—I've spoken with the government House leader and the other House leaders—that this bill need not go back to committee for hearings; in fact, the next stage should be clause-by-clause.

After I'm finished here I will be asking, Speaker, for unanimous consent to restore this bill to that committee.

On a point of order, Mr Speaker: I seek unanimous consent—I believe it is with the agreement of House leaders—that this bill, An Act to minimize the use of restraints on patients in hospitals, be given second reading and be restored to the Legislative Assembly committee.

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noes.

STATEMENTS BY THE MINISTRY  
AND RESPONSES

GOVERNMENT ACCOUNTABILITY  
RESPONSABILISATION DU  
GOUVERNEMENT

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet):** Today I am pleased to table the Ontario government's 2001-02 business plans. These plans reflect on our commitment to an agenda of growth, accountability and fiscal responsibility.

The Harris government was the first to table business plans, in 1996, and has faithfully reported to Ontario taxpayers every year since. When we took office we made a firm commitment to manage government resources in a more businesslike way and to be more accountable to the public. Business plans are proof of this commitment. We constantly refine our business planning so that the public can measure the progress.

Today, with the Ontario budget, the printed estimates, the public accounts, Ontario quarterly finances, and the fall economic outlook and fiscal review, these documents provide more disclosure than ever before to the Legislature and the public on how the government manages taxpayers' dollars in a very prudent manner.

As you know, the Taxpayer Protection and Balanced Budget Act was introduced in 1999 to protect taxpayers from irresponsible government spending. The act provides personal financial penalties to the Premier and members of cabinet for not being able to meet budget commitments.

Business plans outline the responsible choices this government has made and that the public has come to expect. They not only tell the taxpayers of this province how we spend their money, they clearly outline how we do it in a prudent manner. Business plans reflect our intention to offer best value for money. They show we are listening to taxpayers and are delivering on our action plan to protect the economy and ensure Ontario's quality of life.

This year's business plans highlight the accomplishments of 24 ministries and our investment in services that people have told us are important to them: health, the environment, education, children's welfare, transportation and justice. We will continue to focus on services that are most valuable to the people of Ontario. We will undertake a value-for-money review of government spending. We will introduce initiatives designed to keep businesses of the province strong and to encourage new businesses to set up shop here. We have paved the way for tax cuts in this country. I believe no other jurisdiction

in North America is so actively pursuing value for taxpayers' money.

I want to reaffirm our government's intention to deliver the quality programs that the people of Ontario need and deserve in the most efficient way possible. Our goal is to make the government better for the people of Ontario, and to help make Ontario the best place to live, work and raise a family in the 21st century.

1400

**The Speaker (Hon Gary Carr):** Responses?

**Mr Bruce Crozier (Essex):** It's interesting today, as we look at these business plans that are being introduced, that we're almost three months into the fiscal year. We are nearing the end of the session. We won't be back till September; then there will be only about three months left in that session in which we might be able to determine whether they are even following these business plans.

It was only this morning that the Minister of Health said that the ministry is still reviewing hospital operating budgets and they'll have to wait until the reviews are done and that they would hope the hospital budgets would be provided earlier. I'm sure the hospitals would like as well to have their funding known a little bit earlier. In fact, they'd like to know that their funding isn't being cut by about \$100 million.

I wonder if these business plans contain the fact that health care is in a state that we haven't seen for many years. I wonder if these business plans, for example, include the lack of funding for community care access centres. I wonder if these business plans include the fact that cancer care is underfunded in Ontario. I wonder if these business plans also state that they want emergency rooms in chaos and that they are limited.

I wonder if these business plans contain information on education, where publicly funded education is being robbed, where students are being robbed of the resources that they need to learn in our province.

I wonder if these business plans contain some information that my colleague from Sarnia-Lambton brought to us earlier this year. I quote from her comments that day: "What I found incredible, and you talk about smaller government, more efficient government, is that the cabinet office costs have more than doubled since 1995. The cost in 1995 was \$7,858,000 and the cost in 2000 was \$15,816,000.... I'd like to know why the operational costs of the cabinet office have more than doubled and every other sector of this province has been nickelled and dimed to death for ... six years."

I haven't had an opportunity yet to review these business plans in their entirety but I doubt that it mentions those facts in these business plans. In fact I suspect, when I go to Management Board itself, that I probably won't find in there that the Red Tape Commission influences cabinet decisions and receives cabinet information even before the members of the government do. I wonder if the Management Board's business plans will mention the fact that the Ontario Realty Corp, with all its problems, is

in there as well. I doubt that those kinds of facts will be mentioned in these business plans.

I'm not even sure they're business plans at all. We're going to go back over the last three years and we're going to find out what the business plans were then and what the business plans are now. Dalton McGuinty and the official opposition are going to take our responsibilities seriously and we're going to hold the government accountable. I say again, I doubt very much that some of the issues I just mentioned are in these business plans.

**Mr John Gerretsen (Kingston and the Islands):** One of the issues the minister brings up in his press release is, as he states, "Plans for the government's report card to the taxpayer." I submit that the best report card to the taxpayer of Ontario is to have a strong Provincial Auditor, adequately funded and with the right and authority to follow the money where it's actually being spent. I therefore call upon this minister to call forth Bill 5, a bill that I introduced earlier this year, a bill that's also been introduced in the past by government members and by other members of this House: An Act to amend the Audit Act to insure greater accountability of hospitals, universities and colleges, municipalities and other organizations.

Why don't you do something meaningful and give the Provincial Auditor the powers to make sure there is value for money in the taxpayers' money that's being spent? The Provincial Auditor is an independent officer of this Legislature. He's not there on behalf of the government or on behalf of the opposition. He can give this government a true report card as to how it's doing in the various aspects of the government's activities.

So I say to the minister, if you really want to do something positive in this regard, give unanimous consent and let's pass Bill 5 so that the auditor can get on with his work and follow the 60% of the total amount of money that's being expended by you through your transfer agents.

**Mr Peter Kormos (Niagara Centre):** The minister has tabled business plans for various ministries once again. Thanks to the Walkerton commission of inquiry, which this government didn't want and had to be dragged kicking and screaming to hold, now we know what the real value of these business plans is, these business plans allowed to be published by the cabinet and Cabinet Office under the thumb of this Conservative government.

We know what happens to ministry business plans once those folks in the Premier's office, the ones that the member for Bruce-Grey calls the "pimpily-faced nancies," get their hands on them. What happens? Well, they get sanitized. It's like going to the dentist. All the stains get removed, the cavities get filled, and these business plans come out looking so nice and clean that no one would ever suspect that any of the business decisions like cuts and underfunding to ministries could ever have had any negative impact on the province, on the natural environment or—oh, yes—on the safety of our drinking water. Because that's exactly what happened to the 1996 business plan from the Ministry of the Environment, isn't

it? We know, finally, thanks to Justice O'Connor and the Walkerton commission of inquiry, that that's the case.

We learn that the first version, the unsanitized version of the business plan of the MOE, Ministry of the Environment 1996 business plan, actually contained a frank admission of the truth about this government's policies. It contained a very clear warning that cuts to the Ministry of the Environment could lead to increased risk to human health and the natural environment. That's what it said in the version of the business plan that went to cabinet and P and P. But what happened to that message in the business plan? Was it in the business plan that was tabled in the House? No. Was it buried? Yes. Has anyone accepted responsibility for that? No.

Does it give us any confidence, never mind any great confidence, that the business plans the minister releases today will tell the whole truth and nothing but the truth? Of course it doesn't. And you know what? I bet it doesn't give the Environment Commissioner of Ontario any confidence either. I bet that tomorrow when the commissioner releases his special report called Broken Promises, we're going to find that the Ministry of Natural Resources' business plans may not have been telling us the whole truth and nothing but the truth either. I don't know what you think, Speaker, but I'd be prepared to engage in a friendly wager and settle up with you tomorrow after the Environment Commissioner issues his report, but I wouldn't blame you for not entering into that wager.

Read the other areas of this so-called business plan, read the citizenship ministry's business plan, and you'll find that there's no intention whatsoever, there's no indication, no suggestion that there's going to be an Ontarians with Disabilities Act. There is no plan, least of all is there a plan for Ontarians with disabilities, notwithstanding the repeated promise. And you find those broken promises, that lack of commitment, in every tabbed section of this report.

**M. Gilles Bisson (Timmins-James Bay):** Je dis simplement, quel culot. Ce qu'on voit dans ce rapport, c'est encore un autre exercice en relations publiques pour le gouvernement. C'est un rapport qui a été écrit par eux pour être capable de dire au public, « Regardez comment on est bon. On est en train de faire de belles affaires. » Je regarde le rapport du ministre délégué aux Affaires francophones qui dit, « Comme certains services gouvernementaux sont offerts par les fournisseurs de l'extérieur, notamment les municipalités, l'Office a rappelé aux ministères leurs obligations en vertu de la Loi sur les services en français. » Par l'admission d'eux-mêmes, ils n'ont pas la responsabilité de dire aux municipalités, à qui ont été délestés des services provinciaux de, eux autres, suivre la Loi 8, parce que la Loi 8 n'applique pas.

On l'a dit dans le dernier parlement. On a dit que les francophones, eux autres, n'étaient pas pour se retrouver sans aucune protection de s'assurer que les services dans les régions désignées qui sont délestés aux municipalités soient respectés quand ça vient aux services en français. Ce qu'on trouve astéur, c'est que dans beaucoup de situations dans ces régions désignées, d'habitude les services

ne sont pas donnés en français; d'habitude on les trouve en anglais. C'est dans les municipalités où on trouve beaucoup de francophones, dans les régions désignées.

Je dis au gouvernement que vous n'avez rien, vous autres, de quoi être fiers. Vous n'avez rien à vous dire que vous avez fait une terriblement bonne job, parce que tout ce que vous avez dans ce rapport, simplement, c'est un exercice quand ça vient à une relation publique. Je dis encore que vous, comme gouvernement, avez complètement échoué quand ça vient à la protection et de promouvoir les services en français ici en Ontario pour la communauté francophone.

1410

## VISITORS

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** On a point of order, Mr Speaker: I want members to know that the grade 5 class from Port Dover public school is in the gallery. They're from my hometown.

## FREEDOM OF INFORMATION

**Mr Peter Kormos (Niagara Centre):** On a point of privilege, Speaker: If a page would please bring you a copy of my submissions, along with the various documents referred to. To the Speaker, please, Brittany.

I stand pursuant to standing order 21, rising again today on a point of privilege, this time concerning the government's refusal to grant access to documents to the Ombudsman. It's our submission that once again the government has flouted its self-professed agenda of accountability and responsibility. I'm speaking today of statements made by the Ontario Ombudsman, Mr Clare Lewis, regarding his investigation into the Ministry of Health and Long-Term Care's funding for breast and prostate cancer patients who must travel for radiation treatment.

The report was laid before the Legislative Assembly on June 14 of this year and it confirmed what my colleague the member for Nickel Belt, Ms Martel, has been saying all along, that this government openly discriminates against northern cancer patients by refusing to offer them the same coverage for transportation, food and accommodation costs afforded to patients from southern Ontario who must travel to receive treatment for this life-threatening disease.

My concern today is not with the appalling discrimination against northern Ontarians that was confirmed by Mr Lewis's investigation, but rather I draw your attention to page 8 of his final report under the section entitled "Analysis," which reads: "I recognize that the Attorney General is entitled to exercise the authority to deny me access to documents in the restricted circumstances set out in s. 20 of the Ombudsman Act. However, this step has limited the scope of my investigation."

I cite here the contents of section 20 of the Ombudsman Act: "(1) Where the Attorney General certifies that the giving of any information or the answering of any

question or the production of any document or thing (a) might interfere with or impede investigation or detection of offences; (b) might involve the disclosure of the deliberations of the Executive Council; or (c) might involve the disclosure of proceedings of the Executive Council or of any committee of the Executive Council, relating to matters of a secret or confidential nature, and would be injurious to the public interest, the Ombudsman shall not require the information or answer to be given or, as the case may be, the document or thing to be produced."

Speaker, this section, I submit to you, is written very clearly and very specifically about the limits that can be placed on the Ombudsman's access to what we acknowledge and the Ombudsman Act acknowledges is necessarily from time to time sensitive information. It's clearly not intended to act as a shield behind which the government can hide. I put to you that this is exactly what the government was doing when it denied the Ombudsman's information request in the course of his investigation into discrimination against northern cancer patients.

Speaker, I refer you, sir, back to your ruling of June 19, 2001, on my point of privilege concerning comments made by freedom of information commissioner Ms Cavoukian. In that case you did not find, as you well know, that a *prima facie* case of contempt had been established because "there was no mention in the commissioner's report that the commissioner was being hindered or obstructed. The report was simply expressing serious reservations about the impact of the government's policy, and it was requesting a change in that policy."

I argue, Speaker, that the case I bring before you today clearly goes well beyond the scenario with Ms Cavoukian and the one that you ruled on, because the Ombudsman, Mr Lewis, states, and I quote it again, "This step has limited the scope of my investigation."

Like Ms Cavoukian, Mr Lewis was appointed an officer of the Legislature. He works for all of us collectively. He was appointed as an officer of the Legislature to exercise powers and perform duties prescribed in section 2 of the Ombudsman Act. It was his responsibility to investigate the allegations of discrimination that were made by Ms Martel. Here we find evidence of what Ms Cavoukian called the government's "contentious issues management process" in action.

The government attempted to undermine Mr Lewis's investigation into accusations of discrimination against northern cancer patients by denying him access to potentially incriminating documents. Interestingly, Mr Lewis found that the government did indeed discriminate against northern residents, even though Tory politicians and ministry officials blocked his requests under information access rights.

I submit there's only one conclusion that we can draw as a result of this, and that is that there was an effort on the government's part to conceal and certainly to inhibit access by the Ombudsman to certain information. One can only speculate as to how damning Mr Lewis's report could have been had he had full access.

Speaker, I put it to you that the government's obstruction—and in this instance I submit that it is obstruction; it's the only inference that can be drawn from the words of the Ombudsman—of the Ombudsman's information request constitutes contempt of this Legislature.

Once again, the 22nd edition of Erskine May defines contempt in this way:

"Generally speaking, any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt even though there is no precedent of the offence." That's at page 108.

Erskine May goes on to outline contempt as it applies to obstructing officers of either House, and I submit to you that Mr Lewis clearly is an officer of this House. "It is a contempt to obstruct or molest those employed by or entrusted with the execution of ... their duty."

It continues, "Both Houses will treat as contempts, not only acts directly tending to obstruct their officers in the execution of their duty, but also any conduct which may tend to deter them from doing their duty," page 125.

The Canadian House of Commons Procedure and Practice by Marleau and Montpetit also speaks to this issue in its reference to the now increasingly better known ruling by Speaker M<sup>me</sup> Sauvé in 1980, which said, "While our privileges are defined, contempt of the House has no limits. When new ways are found to interfere with our proceedings, so too will the House, in appropriate cases, be able to find that a contempt of the House has occurred," found at page 67 of that text.

You yourself found that a *prima facie* case of contempt had been made on May 18 last year in your ruling concerning the release of private information. In that instance you referred to section 46 of the Legislative Assembly Act, which defines the jurisdiction of this House to inquire into and punish as breaches of privilege or contempt a range of matters, including "assaults upon or interference with an officer of the assembly while in the execution of his or her duty."

Speaker, I submit to you that, in the Ombudsman's own words, the government's actions have limited the scope of his investigation into one of the most controversial policy positions—obviously among many, but one of the most controversial policy positions—ever taken by this government.

I accept the points you made in your June 19 ruling of this year concerning the position of members of Parliament as it relates to freedom of information.

I want to describe to you the hurdles the member for Nickel Belt has come up against in her efforts to gain access to documents from the Ministry of Health. I want to paint a picture of what the Ombudsman was referring to. I think this is an important reference when looking at the conduct of the government and determining whether or not it and its policies effected a contempt of this Parliament by virtue of their obstruction, because I

submit that all the facts are necessary to determine, yes, indeed, there was a clear case of obstruction and therefore a clear case of contempt.

In September 2000 Ms Martel requested a copy of the report entitled Patient Travel Assistance Programs in Ontario in the possession of the Ministry of Health and Long-Term Care. She believes the report documents the discrimination against northern cancer patients in the inadequate northern health travel grant. The request was turned down in November 2000 on the excuse that cabinet was using the document to make decisions regarding travel grants. I submit to you that that explanation does not stand well in the whole context of the facts that have been laid out.

1420

Ms Martel appealed the decision to the Information and Privacy Commissioner in December 2000. A mediator ruled that the government was still using the document to make decisions about travel grants and advised Ms Martel to file again in four months if cabinet failed to take any action. Please, sir, understand that it was a mediator who heard from the government the same explanation that had been given to Ms Martel and who, based on that, recommended that Ms Martel wait four months, one can only infer, one must infer, based on information that that mediator obtained from the government in the ministry as the result of acting as mediator. Ms Martel waited and waited some more. Nothing happened. On May 3 this year she started the process all over again by filing yet another freedom of information request with the Ministry of Health and Long-Term Care, and here we are 273 days later. That's nine months after the first request was made by the member for Nickel Belt, and she's still waiting for an answer.

I feel compelled to raise this issue again because I think it is a matter of critical importance to this Legislature. I ask you, Speaker, to consider the damage being done to the democratic functioning of this House, which rests on the cornerstones of transparency and accountability, if officers of this assembly are continually obstructed in the process of carrying out their duties by cabinet and ministry officials who abuse the guidelines governing access to information. I ask you to look very carefully at the words of the Ombudsman. I believe that Mr Lewis has made himself very clear.

Finally, Speaker, I ask you to consider what is fair, because certainly fairness has to be one of the guidelines that determine your approach to this. Southern Ontario cancer patients have enjoyed financial support to help cover the cost of seeking remote treatment. At the same time, thousands of people living in the north have not received a dime in compensation from this government even though they were forced to drive for hours to receive radiation treatment. Northerners have been asking for fairness. Ms Martel, on behalf of those northern constituents, has been asking for that fairness during question period. The Speaker knows the nature of the responses given by the government. There has been an effort, I submit to you—and again I submit that this is

very relevant; the Hansard of this Parliament speaks very much for itself—that the government's responses inevitably have been obfuscatory at the very least.

Despite the government's best efforts to what we submit was an effort to conceal or cover up bald-faced discrimination, the Ombudsman found in favour of those northern cancer patients. This, we say, is only the tip of the iceberg. These people deserve to know the whole story. So do we. The government ought not to be allowed to hide the truth from them. As outlined in Maingot's Parliamentary Privilege in Canada on page 221, the responsibility of the Speaker is to determine if "the evidence on its face as outlined by the member is sufficiently strong for the House to be asked to debate the matter and to send it to a committee to investigate." In the words of the Ombudsman, I believe I have made such a case, Mr Speaker, and I ask you to find that that is so.

**The Speaker (Hon Gary Carr):** Further to the point of privilege?

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I will be very brief because, as you know, we have raised this same issue in question period repeatedly over the past week. I do want to suggest, Mr Speaker, that since this is only the second time in history that the Ombudsman of Ontario has been denied access to information which he believes is important in carrying out his investigation, it is incumbent upon you to seek at least the reasons as to why that embargo was placed on his access to information. I do believe, unless you can be satisfied that there was a reason provided for embargoing that report that in no way blocked the Ombudsman in carrying out his responsibilities to this Legislative Assembly, that you do have a case to find that the privileges of all members have been violated.

**The Speaker:** I thank the member for his point of privilege. The government House leader as well?

**Hon Janet Ecker (Minister of Education, Government House Leader):** Just very briefly, I appreciate the concerns that have been raised here, but the document in question, as I understand it, pertains to cabinet documents. There was in fact a cabinet document itself, as I understand it. There has been a convention in many governments and many Parliaments that that information does have protection. There are many reasons for that. So I certainly would respect whatever ruling you wish to raise. But it's certainly our contention that nothing untoward has occurred, that the government has made a prudent and correct decision.

**The Speaker:** I thank all the members for the input, and I will reserve.

**Mr Dalton McGuinty (Leader of the Opposition):** On a point of order, Mr Speaker: Because of the importance of the bill I introduced a few moments ago, and because I know many members of this House want to ensure that the Keele Valley site is closed by 2002—I should tell you as well, Speaker, that I've given the House leader and the Minister of the Environment earlier notice of this so it does not come as a surprise to them—I

am requesting unanimous consent to pass second and third reading of the Keele Valley Closure Act, 2001.

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noes.

## ORAL QUESTIONS

### EDUCATION FUNDING

**Mr Dalton McGuinty (Leader of the Opposition):**

My question is for the Premier. Ontario Liberals understand that strong public education is an absolute essential for our working families. It is not an option. Public education is the ladder our kids climb to achieve their dreams. You don't agree. You pursue your attacks on public education, the latest manifestation being your voucher. Since you've introduced your voucher you have refused to call it a voucher and you choose instead to call it a tax credit, but your friends at the Fraser Institute disagree. Last week, during the committee hearings, Claudia Hepburn appeared before us and she said your tax credit is most definitely a voucher. Premier, if it looks like voucher, if it sounds like a voucher, if it robs our public school system of money just like a voucher, if the Fraser Institute calls it a voucher, why not acknowledge that this is a voucher?

**Hon Michael D. Harris (Premier):** The only party I've heard entertain vouchers is the Liberal Party of Ontario. I know your critic and others have said that if you're going to entertain this policy, it should be done by way of voucher. I think you alluded to either voucher or direct funding to the schools, for those in the Liberal Party seem to favour either direct funding, which would be the same as a voucher—what we have brought forward, as you know, is a very limited tax credit to help those parents who make the choice of an alternative school for education. This year that tax credit amounts to a budgetary item of \$15 million versus \$13.8 billion for the public education system. So I would say our ongoing commitment to excellence in education has been demonstrated with every change we have made to enhance—

**The Speaker (Hon Gary Carr):** The Premier's time is up. Supplementary.

**Mr McGuinty:** Premier, let me just say that I was most appreciative last week of the Fraser Institute's candour and honesty when it came to their perspective on this matter. They said it was a voucher.

I can tell you, Premier, that the Fraser Institute isn't your only friend smothering you with kindness on this front these days. The National Citizens' Coalition recently started running ads praising your voucher program. They like it because they say it will save the government money. Let me quote the National Citizens' Coalition quoting you, Premier, "Premier Harris suggested the government will save about \$7,000 for each student who does not attend a union-run public school."

Premier, why not admit it? Your voucher isn't about choice; it's about saving money. Your voucher is an incentive for parents to remove their kids from public education and put them into private schools, thereby robbing our public schools of desperately needed funding. How can you defend this policy when it is, at the end of the day, a voucher, and when you know, as the National Citizens' Coalition is telling us, that this will take money away from public schools?

**Hon Mr Harris:** I think, as you know, that as to the number of people over a 10-year period choosing alternative schools in Ontario versus other jurisdictions that had a tax credit or a voucher or a direct payment for those students of those schools, the difference between Ontario, which had no voucher or no tax credit or no funding, was negligible.

1430

So when we looked at those other jurisdictions, the ministry, as you know, does not feel there will be any substantial increase—maybe a small decrease. But we don't think it will be affected by the tax credit. Therefore, we do not think there are any savings, nor are there any costs, to the public school system. The tax credit is a budgetary item over and above the full funding for the public school system, so therefore it costs the public school system nothing. In fact, it's all part of choice for parents. To suggest otherwise, I think, is just incorrect.

**Mr McGuinty:** Premier, this is not what you told the United Nations in a very detailed, extensive, considered and thoughtful brief. You told them this would cost somewhere between \$300 million and \$700 million, and that would come at the expense of public education.

Premier, there are three indisputable and irrefutable facts in this matter: (1) your private school tax credit is a voucher; (2) it's going to take money away from public education; and (3) you have no research, no evidence whatsoever, on which you relied to confirm that this would not cause harm to public education, to our working families and the opportunities for their children. You have been able to provide us with no such evidence or information whatsoever.

In light of all that, Premier, why not admit this was drawn up on the back of an envelope late one night, God knows why? Why don't you do the right thing and scrap this voucher program?

**Hon Mr Harris:** The ministry, as you know, had the available data from other jurisdictions and from Ontario that showed very little difference when you got some funding or some partial credit or some partial direct funding.

I can give you an example now. Enrolment in the district of Niagara board is projected to go down this year, but they're getting an increase in funding. We will fully fund the public education system, as we always have. We will make sure that it is funded to a level far in excess, as you know, of most jurisdictions in the world on any fair per student level.

The policy of fairness for a partial tax credit to parents has no impact on education funding. But we did get the

Liberal position; it was clarified by Greg Sorbara recently. He said that as a matter of policy, when you want to support denominational schools—and he said he wasn't opposed—you give the money directly to the denominational schools. You don't—

**The Speaker:** Order. The Premier's time is up.

### COMMUNITY CARE ACCESS CENTRES

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of Health. Minister, for years now we've heard horror stories about seniors in desperate need being denied access to home care services. Whenever we've raised these matters with you, you've washed your hands of them and said this responsibility lies entirely with the community care access centres, that they call all of the shots on the front lines; this has nothing to do with you. The fact is, Minister, you are the one who's supposed to decide who gets home care and who doesn't. You set the rules for eligibility, and so far you have refused to do so.

Well, Minister, the chickens have finally come home to roost. We now have in our hands a landmark decision of the Health Services Appeal Board, and this ruling says your failure to set eligibility rules means that CCACs can no longer make the determination as to who is and who is not eligible for home care. Seniors are now waiting on you, Mr Minister. They want to know whether or not they are eligible. What are your rules for eligibility and when will you give them to us?

**Hon Tony Clement (Minister of Health and Long-Term Care):** This is precisely one of the things that was part of the review that was done by PricewaterhouseCoopers. The conclusions of that review, which we have described before this Legislature, indicate that there are managerial issues at the local level with the CCACs, there are standards application issues where different standards are applied in different ways by the CCACs, and these are things that this government is quite concerned about.

Given the fact that we are funding the CCACs at a record amount—a 72% increase since we got elected—given the fact that 100% of those dollars are provincial dollars—not a cent, not a nickel, not a shekel comes from the federal government—that is, in fact, what we are doing: we are funding. Now we're making sure that the funding goes to the individuals, to the patients, to the recipients of that home care in our communities, but we have to make sure it's done right.

**Mr McGuinty:** I gather from that response, Minister, that you're unaware that there's a very important legal decision that was made on June 5 and it says that you have yet to fulfill your responsibility.

You have had six years in government to determine the eligibility requirements for our seniors when it comes to getting home care in the province of Ontario. All along you've been blaming those home care deliverers. You were saying, "Those people can't get it right. There are all kinds of inconsistencies out there; they're doing one

thing in one part of the province and another thing in the other part of the province." The problem is there are no rules. You have yet to establish the rules, Minister. That's the problem.

So the question I've got for you is, will you now tell our seniors where you draw the line when it comes to their obtaining home care services?

**Hon Mr Clement:** As the honourable member no doubt is aware, CCACs were formed by this government, but it was done in a way so that we could formalize the CCACs through revisions to a long-term-care act at the most available and most opportune time. But in the meantime there are standards in place in this province, there are rules in place in this province, done by regulation, and of course we're accountable to the Legislature for that.

But what is more important, of course, is that the dollars that are spent, the 72% increase in the CCAC dollars, go to the patients, go to the users of the home care system. That is what we're concerned about on this side of the House: to make sure that every dollar spent on behalf of the taxpayers, on behalf of the citizens of Ontario, goes toward patient care, goes toward home care. That's what we're concerned about on this side of the House. Perhaps the honourable member should spend more time being concerned about the same thing.

**Mr McGuinty:** Minister, I can understand why you are uncomfortable on this. You've been found out. For months now you've been blaming the CCACs. You've been telling them it's their responsibility to make decisions, the tough decisions about whom to provide services to and whom to deny when it comes to home care services.

Now we discover that in six years your government has yet to set eligibility requirements for our seniors. So you can't any longer blame people who work on the front lines, all those people in our community care access centres, those volunteers who dedicate themselves to their parents and their grandparents in their communities. Now it's up to you. You haven't been able to come up with one specific eligibility requirement.

But I have a question for you on behalf of Ontario's seniors. It's very straightforward and very direct. Seniors want to know, will you be income-testing them for home care services?

**Hon Mr Clement:** The premise of the honourable member's question is fundamentally flawed. He's suggesting that we're not concerned about standards. In fact, we inherited a system where there were no provincial standards, something that when he was a member of the government he seemed quite happy to perpetuate.

But on our side of the House we have been instituting standards. That's why we did a review of the report. Three years after the creation of CCACs as independent bodies, what are the standards that are being applied? Are they acceptable to Ontarians? Are they acceptable to our seniors? Are they acceptable to the recipients of the home care services? Despite the fact that we have increased funding by 72% over five years, is the money going to

the care? Despite the fact that there are zero federal Liberal dollars—zero, zilch, nada—we have put the money into the system.

*Interjections.*

**The Speaker (Hon Gary Carr):** Minister, take a seat. He's got a few seconds left. It's getting too noisy in here. I'm going to have to start to pick people out.

Minister of Health, sorry for the interruption.

**Hon Mr Clement:** I guess my point is, despite the current federal-provincial funding arrangements which have shown zero dollars on behalf of seniors, on behalf of those vulnerable in our society given by the federal Liberal government to the Ontario government or indeed any other government in the Dominion of Canada, we have put the money in, we have developed the standards, we are developing the expectations, and that process will continue. If the honourable member wants to be helpful in this regard, perhaps he should talk to his federal Liberal counterparts so that they can be part of the solution as well.

1440

#### OCCUPATIONAL HEALTH AND SAFETY

**Mr Peter Kormos (Niagara Centre):** Premier, I'm sure it's not your intention, but you're taking steps that could put lives at risk. The law requires that health and safety inspectors arrive and inspect on-site the workplaces where there's an unresolved workplace refusal as a result of unsafe work. These are unusual situations, less than one a day out of tens of thousands of workplaces, but that on-site inspection is vital. The proof is that there are only some 200 to 300 work refusals a year, but your inspectors issue 2,000 to 3,000 stop-work orders. The fact that they are there, on site, enables them to determine far more than the worker even reported, and it's because they go to the workplace and inspect.

It's a good law, Premier. Ontarians have supported it for 20 years. Why are you revoking it?

**Hon Michael D. Harris (Premier):** I think the Minister of Labour can respond.

**Hon Chris Stockwell (Minister of Labour):** Let's be clear: it will be the inspector's decision to go to a health and workplace safety place, and they'll be allowed to inspect—excuse me.

**Ms Frances Lankin (Beaches-East York):** Get it out of your system.

**Hon Mr Stockwell:** I'm going to need more than a minute.

They would be allowed to inspect these sites at any time. It is up to that professional civil servant to determine, if the call comes in, whether or not it's necessary for that inspector to go there. The simple case I gave you a couple of weeks ago was the person who phoned in to say their boss wasn't qualified to be their boss. That they can review by fax and e-mail and over the phone.

Let's be clear: if you're forcing these health and safety inspectors to go out there and inspect sites they don't necessarily have to go to, for many, many hours they're

being taken away from those places they should be at, where there is truly a health and safety risk, and taking advantage of a situation.

We are putting forward this recommendation because it was vetted within the ministry and the inspectors heard it and agreed.

**Mr Kormos:** That just doesn't add up, because you're shy 80 work site inspectors. Your full complement is some 278; you're down to around 200. You haven't replaced any of those who are gone.

Workplace accidents cause people to die horrible deaths every year. In 1999, the number of workers killed on the job increased to over 200. Last year it increased again to 243. That is 243 people dead because of workplace dangers.

Minister, look: your government listened to the critics of the mega-tribunal and you withdrew that plan. People are telling you to withdraw your plan to kill mandatory on-site inspections. Your own inspectors say, "Such an approach will inevitably result in tragic consequences that the lack of regulatory vigilance led to in Walkerton." Minister, will you listen to your own inspectors about this bill? Will you put safety first? Will you please reconsider Bill 57?

**Hon Mr Stockwell:** Let's be clear: your statistics are as flawed as your argument. From 1995 to 2000, after we came to office, field visits were up 38%. Inspections are up 45%. Orders issued by inspectors—get this one—up 92%. Stop-work orders, up 70%. Work refusals remain unchanged, I say to the member opposite.

We were not happy with the abysmal showing your government had with respect to health and safety. We improved on it. Is there more to do? Of course there's more to do. But we should celebrate this record. Your record was abysmal. I share your concern. That's why we could not accept the failed policies of the NDP, and we made Ontario a safer place to work.

**Mr Kormos:** I wish I could share your joy and pleasure in that record, because that record is one where, in 1999, the number of workers killed in the workplace rose to over 200. The record that you're praising is one where, in the year 2000, 243 workers died in workplaces in Mike Harris's Ontario.

Look, Bill 57 and its repeal of mandatory on-site inspections are part of the government's efficiency act. Senior Ministry of Labour staff have told us that sacrificing these on-site inspections could, on the basis of your guidelines, save them two or three trips a year. If indeed this service is privatized—and it appears that that's what Bill 57 is designed to do, to facilitate the privatization of Ministry of Labour inspections; it could be much more—are you prepared to pick a fight with the health and safety professionals of this province and even your own ministry but for what could be no more than two or three on-site inspections per year?

**Hon Mr Stockwell:** This is the flaw in the ointment with respect to your argument—

**Interjection:** The flaw or the fly?

**Hon Mr Stockwell:** The fly in the ointment with respect to your argument is that it only saves two or three trips a year. There are hundreds of inspectors out there, hundreds. If those hundreds of inspectors save two or three trips a year, that's hours and hours per trip, going to what they will determine in a call that they can do over the phone. Where they could be is at sites that need to be inspected. They can show up at a workplace and inspect a site that's unsafe. This is the flaw in your argument.

The point that you want is for them to go out there chasing inspections they can do over the phone, and not inspect places where they could really save lives. You're not interested in saving lives; you're interested in silly statistics and numbers. That's the difference. We're interested in saving lives. We would like to get them out to the places where they go. We're in favour of seeing the inspectors go to places where they need to go. Going to inspect a site where someone has complained that their boss isn't qualified for them to work for him—

**The Speaker (Hon Gary Carr):** I'm afraid the minister's time is up.

#### COMMUNITY CARE ACCESS CENTRES

**Ms Frances Lankin (Beaches-East York):** My question is to the Minister of Health.

Minister, I want to talk to you as well about the June 5 Health Services Appeal Board ruling. That was a case that was brought forward by the Advocacy Centre for the Elderly on behalf of one of their clients. In that case, as you know, at least I hope you know, the ruling indicated that the CCACs cannot deny someone benefits because they are not able to set eligibility criteria.

A reading of that decision would take you to the next logical step, that the current actions of the CCACs, as a result of the funding pressures that they are experiencing, of cutting services to seniors based solely on the dollars available and not on the health needs of the seniors would also be an appealable item and an item which is likely to receive results in the Health Services Appeal Board similar to the ACE decision, which would overturn that decision.

In light of this new decision, could you advise this House what you're telling CCACs about their service cuts?

**Hon Tony Clement (Minister of Health and Long-Term Care):** The fact of the matter is that the decision is a commonsensical decision in the sense that, of course, we would all want certain minimum standards, at the very least, to be applicable province-wide and there is only one body in the entire province that can do that, and that's the province of Ontario. So in that respect it's a commonsensical decision.

The fact of the matter is, we are seized of that issue. When we created CCACs in the first place, we said, "Here are the standards that we expect you to meet." The problem that we're facing, based on the review that was done by the independent third party, is that they are meeting these standards in a very haphazard way, or

some parts of the province are meeting the standard, others are not meeting the standard. Some have the managerial competence to do that, others are struggling. That's the information that we shared with this House, that came about as a result of the third party report. So we are seized with this information. We want a solution too, and the solution is not the status quo.

**Ms Lankin:** Minister, I'm getting a really big suspicion here that you actually don't know about the content of this decision.

Let me say to you, CCACs are currently making service cuts based on the dollars that you have told them are available this year, not based on the health needs of the clients that they serve. There is a basic problem here in terms of those seniors, and for you to continue to say that your goal is that the \$72 million gets to client care doesn't help us resolve the issue of the cuts seniors are experiencing today.

I can tell you over and over again the reviews that have been done, your latest one, through the Fleuelling inquest, through many others, have told you that over 15% of the dollars are being spent administering your competitive bidding model. You've been told to scrap it.

Minister, you've got to do two things today: you've got to announce that you're scrapping the competitive bidding model, and you've got to announce that health services will be given based on health needs, not on your arbitrary budgets that you've set.

**Hon Mr Clement:** Again, the fundamental premise is that in some way underfunding is going on. We have increased the funding since her government by 72%.

We have example after example of individual CCACs that have said they can live within the budget and deliver the excellent services required by the citizenry. The Oxford CCAC said, "We can live within the budget, we can deliver the services." The Niagara CCAC said, "We can live within the budget, we can deliver the services." The York CCAC, after a 193% increase in their funding since they were in power, said they can live within the budget, they can deliver the right kind of services to the right people in the province of Ontario in their catchment area.

Those are the results that I care about. What I want to do is ensure that every CCAC has the managerial ability, has the competence, has the standards to deliver excellent services that are required to the people of Ontario who require them. Join me in that task and maybe we can get somewhere.

1450

#### VISITORS

**Hon Jim Wilson (Minister of Energy, Science and Technology):** On a point of order, Mr Speaker: Just before a group from my riding has to go on their tour, I know all members will want to join with me in recognizing the Adjala-Tosorontio Residents Association in the public gallery opposite. There's a very large crowd of them here today from my riding.

## ONTARIO DRUG BENEFIT PROGRAM

**Mr Dalton McGuinty (Leader of the Opposition):**

My question is for the Premier. Ontario seniors are afraid right now of what it is you might be doing to their drug plan. They're afraid they might wake up one day to discover that suddenly you've imposed an income test or that they're going to have to start paying new user fees. To make matters worse, you can do all this under cover of darkness. You can do it when the House is recessed, after the by-election is over and you think no one is watching. You can do these things—put in a new income test, put into place new user fees—just by way of regulation, just by way of a signature. Premier, can you relieve Ontario seniors of their anxiety by guaranteeing for us today that you will not further restrict seniors' access to drugs or add any user fees?

**Hon Michael D. Harris (Premier):** Let me assure seniors of this: as long as this government is in office and as long as they continue to elect the Progressive Conservative Party to government, they will continue to get the largest funding for drug programs and for home care that is available anywhere in the country.

I can also tell them that when I look at the Liberal Party, when the Liberal Party was in office, the drug benefit plan that is so sacred and so important to seniors was funded to the tune of \$647 million, and that's when you left office; that's at the end of your term. Under our government today, this same drug plan has tripled to about \$1.8 billion. That's what happens when you elect a Harris Progressive Conservative government over a Liberal government when it comes to the drug plan that is so sacred and so important to them.

**Mr McGuinty:** I'm sure your words of comfort will be very well received by seniors, Premier. I guess that they've never felt more secure, that they've never felt they could have greater confidence in a Premier since your arrival. I guess that's how they're feeling.

Let me tell you the truth, Premier.

*Applause.*

**The Speaker (Hon Gary Carr):** Order. Leader of the official opposition.

**Mr McGuinty:** I guess sarcasm is perhaps a bit too sophisticated for the members opposite.

Let me tell you the facts, Premier. Let me—

*Interjections.*

**The Speaker:** Come to order, the government benches, and the other side now as well. The leader of the official opposition has the floor.

**Mr McGuinty:** Let me tell you some of the recent words of comfort offered to Ontario's seniors by the Minister of Health. He referred to our seniors as the "richest generation" of seniors "in the history of the world." That's what he said about our seniors. Here are a few facts. One half of our seniors between 65 and 75 years of age make just a little over \$16,000 a year; only 0.5% of our seniors have incomes over \$60,000, and still, Premier—

*Interjections.*

**The Speaker:** I'm sorry to interrupt him. I know it throws his speaking off and it's very disruptive, but I'm getting it now from both sides back and forth, when their own leader is trying to speak. Come to order. I'm going to start picking people out and they'll be asked to leave. My patience is up right now. The leader of the official opposition.

**Mr McGuinty:** Premier, you said that Ontario seniors should thank God they live in this province. Your Minister of Health himself said they are the "richest generation" of seniors "in the history of the world." I just gave you the opportunity to provide every possible reassurance to our seniors that you will not introduce income testing for their drugs or user fees for their drugs, and you refused to provide that assurance. I'll give you one more chance. Prove you're on the side of seniors now.

**Hon Mr Harris:** Let me carry on with what this government has done. I don't know why the Liberal Party wants poor seniors. We're very proud that our seniors are retiring, on average, with more dollars than ever in their history. We're very proud that through our tax cuts and a booming economy our seniors are better off. We want the wealthiest seniors that we can possibly have, and we're very proud that they're better off today than they were under the Liberals or the NDP. We're very proud that since 1995, 3,100 drugs are available today, 1,200 new ones that weren't available when we took office in 1995. We're very proud of this fact.

We're very proud of the fact that since the Liberals were in office—for example, in home care, you spent \$305 million for home care when you left office; we are now spending \$1.1 billion. We have more than tripled the funding for home care. Why have we been able to do this? Because we have a booming economy, because we have tax cuts to create more—

**The Speaker:** Order. The Premier's time is up.

## LANDFILL

**Mrs Tina R. Molinari (Thornhill):** My question is for the Minister of the Environment. Minister, today the opposition has attempted to forward a position regarding the closure of the Keele Valley dump. This is an obvious reaction to the panic that the Liberal candidate in Vaughan-King-Aurora is facing in this by-election. Minister, this is just another flip-flop from the Liberal opposition.

*Interjections.*

**The Speaker (Hon Gary Carr):** The member for London-Fanshawe, come to order, please. He's yelling right beside her. The minister has been trying to answer. I can see their faces; they can't even hear.

Sorry. The member for Thornhill.

**Mrs Molinari:** Minister, this is just another flip-flop of the Liberal Leader of the Opposition. When the Liberals were in government they had the opportunity. They did nothing. Coincidentally, the candidate in Vaughan-King-Aurora is the one who is trying to come back.

Minister, can you clarify this government's long-standing—

**The Speaker:** I'm afraid the member's time is up. Minister?

**Hon Elizabeth Witmer (Minister of the Environment):** The member is right. The Liberal government has had 16 years to take a position on the Keele Valley dump site. Their solution to garbage for Toronto was the Keele Valley. Ever since 1995, our Premier and our member, Al Palladini, have made it absolutely clear the Keele Valley dump site will close in 2002.

**Mrs Molinari:** My supplementary question is, Minister, have you had a chance to look at the bill, and can you tell us what it means to the surrounding community?

**Hon Mrs Witmer:** Unfortunately, what we have before us is a very hastily and poorly crafted bill. It is a shameful example of political expediency and grandstanding. This bill, if introduced, would have dire consequences for the people in the communities surrounding Keele Valley. This is what happens when a party which has refused to listen to the concerns of the people for over 16 years drafts a bill. This bill would not allow for the remediation of the site. It would not allow for any dealing with erosion. It would not allow for anyone to deal with the littering. It would not allow for new fences to be constructed. It is absolutely unbelievable that such a bill would be introduced.

**The Speaker:** The minister's time is up. New question.

**Mr Dalton McGuinty (Leader of the Opposition):** To the master of muster when it comes to indignation, to the minister of indignation, on the same issue, the Minister of the Environment—

1500

**The Speaker:** Order. You'll have to withdraw that.

**Mr McGuinty:** I'm sure viewers understood who I was talking about.

Madam Minister, you will understand why the people of Vaughan-King-Aurora have some very real concerns about your government's commitment on this front. The fact of the matter is, there is a loophole present in the legislation which allows you to extend the lifetime of the dump.

Mayor Jackson in 1996 wrote to the Ministry of the Environment, and then Minister Elliott said that no, she would not then commit to closing this loophole because you might need to extend it. I'm just wondering why it is that you won't support my bill so that we can put this thing to bed with absolute finality.

**Hon Mrs Witmer:** I want to refer again to this McGuinty-Sorbara bill that has been introduced today. I want to point out to this Legislature once again how poorly drafted this bill is and that it is an example of political expediency and grandstanding. If you take a look at what is being proposed here, they are recommending that the certificate of approval be revoked. This would put the health and the environment of that community at risk. It would not allow for any remediation of the site. It would not allow for us to deal with problems

of erosion. It would not allow for us to deal with problems of littering. It would not allow for us to control leaching. It would not allow for us to maintain the surface above the waste. It would not allow for us to use the land in a—

**The Speaker:** Order. I'm afraid the minister's time is up.

**Mr McGuinty:** Minister, it's just a simple bill to close a dump. We're not talking about nuclear weaponry here. Let's take a look at the record. Let's listen to what the Minister of the Environment said to Her Worship Lorna Jackson back in 1996, when she said, "Would you please close this loophole." This is what the minister at the time said: "This section provides a contingency in the event that Metro Toronto ... runs out of landfill capacity before long-term alternatives can be found. I believe it would be appropriate to leave this part in place until the regions have found replacement landfills."

What the people of Vaughan-King-Aurora want is what I've incorporated in my bill. They want to know that you're prepared to nail the final nail in the coffin of this dump in 2002, and they want to know why you won't support it.

**Hon Mrs Witmer:** This simple McGuinty-Sorbara bill is an example of a party that eight days before a by-election has decided to grandstand. It's an example of a party that has refused to make a commitment. Our Premier and our colleague Al Palladini made a commitment to the people in that riding. That dump will close in 2002. I cannot support the McGuinty-Sorbara bill. We will close the dump in 2002.

## LABOUR PROTEST

**Mr Doug Galt (Northumberland):** My question is addressed to the Minister of Labour. On Friday, June 8, on CFRB radio station I was informed that Sid Ryan planned to develop flying squads of union members for the purpose of randomly shutting down industries. Apparently Mr Ryan is opposed to the economic success of the Harris government and wants to penalize the industries that are doing well because of our policies.

Since he was unable to get elected, and I'm not surprised that he tried to win Marilyn Mushinski's riding, he now wants to use militant, brownshirt bullying to bring attention to the views of the union.

Are you aware of this plan, and, if so, is it legal to attempt to bring a company to its knees by such action?

**Hon Chris Stockwell (Minister of Labour):** I think all members would agree that we would expect all people in this province to live within the laws of the land. It is obviously against the law to do such a thing. It would certainly break any collective bargaining agreement that those industries would have with their unions.

I would hardly suggest that there would be anyone in this House who would counsel any member of the population within the province of Ontario to go out and wilfully break any laws of the province.

I can only suggest to Mr Ryan and his flying squads that it would be particularly important to understand that it's important in a democratic society to have laws, to live within the laws. Demonstrations are OK, they're acceptable and certainly welcomed, but it's very important to ensure that those demonstrations don't go too far and in fact break laws. I can caution everyone who would take part in these that that would be a watchword to live by.

**Mr Galt:** Thank you very much, Minister, for that response indicating how illegal it would be and that it would indeed be breaking the law.

It's very possible that Sid Ryan and his flying-squad band of bullies could hit an industry in my riding and try and shut it down. This could indeed be disastrous for the workers who depend on their paycheque. It could cause bankruptcy of the industry and result in large numbers of layoffs, who might be union members, and it could even be dangerous for the residents in the surrounding area. This action, of course, is wrong, ill-conceived and unfair.

Minister, should this happen within Northumberland, what advice can I share with the community and industry leaders as to how to respond to such an illegal action?

**Hon Mr Stockwell:** There are obviously many remedies they could use: through the courts and the Ontario Labour Relations Board would be some of the avenues they could take. I think there's a growing trend here, and I think all members of this House would agree that having CUPE fund OCAP and notably say in the funding that they agree with what they classify as street theatre and we would classify in this House as damage to public buildings and violent acts—I think we can all agree that these kinds of actions are reprehensible. I myself would suggest to Mr Ryan and to you and to anyone else that I think we need to band together and decide to say very clearly in one voice from this Legislature that intimidating and frightening constituency staff, intimidating and frightening workers at their workplace, is unacceptable. I don't think anyone in this House would disagree with that.

On a final note, I would ask that the members who have a closer tie with Mr Ryan—I know of maybe one—possibly talk to him and suggest that this is a flawed public policy approach for his union to take, and—

**The Speaker (Hon Gary Carr):** The minister's time is up.

#### AIR QUALITY

**Ms Marilyn Churley (Toronto-Danforth):** A question for the Premier. Premier, coal continues to burn in Ontario Power Generation plants, causing smog from Welland to Parry Sound, clear across the province these days, and pumping out 38 million tonnes of greenhouse gas. Look at the sad facts, Premier: the Sierra Club gave you an F minus on climate change.

Your own energy minister calls Nanticoke "the cleaner alternative," and claims that Kyoto requires him to allow emissions trading. Neither of these things is true,

Premier, but what is true is that you let OPG use trading to exceed emissions targets by 12 million tonnes. So I'm asking you today, Premier, will you agree to suspend the emission trading program that allows excess smog and greenhouse gas from OPG?

**Hon Michael D. Harris (Premier):** The emission trading program was a key part of the Kyoto commitment. It is viewed as one of the ways in which we can get overall reductions of greenhouse gases.

I think the member will also know we are committed to continuing to protect and to improve Ontario's air quality. We've aggressively tackled air quality, including climate change and smog, through transboundary air pollution initiatives. We continue to lead the way. We continue to commit to standards that are the toughest in Canada. We continue to commit to standards that are the toughest in North America. We continue to challenge the Americans to match these standards.

So everything from Drive Clean, where we lead North America, to new, tougher standards—far tougher than the NDP had for our electricity sector—are all part of our action plan. What we do here at the same time is we press others to do more.

1510

**Ms Churley:** So, Premier, what you're saying is that everything is hunky-dory and we shouldn't have to worry. That's what you told us about the state of the environment before Walkerton happened, and you were warned then about possible dire consequences.

I want to focus now on Nanticoke. Despite the fantasy of Minister Wilson, you know, or you should know, it's the largest source in Ontario of smog and greenhouse gas.

You could save lives in Ontario through smog reduction and you could protect the atmosphere from climate change by doing the right thing with Nanticoke. You could have Nanticoke converted to natural gas and you could eliminate it from participation in the emissions trading program that makes it possible for OPG to buy the right to increase air pollution, which is exactly what they're doing, which makes the air worse and our hydro bills higher. Will you do that, Premier?

**Hon Mr Harris:** I think the Minister of Energy can respond to that.

**Hon Jim Wilson (Minister of Energy, Science and Technology):** This government has done more to try and decrease smog coming out of the electricity sector than any of the previous two governments in this province: tough new emissions standards are tougher than those in the United States of America, tougher than any other province in Canada, including the great coal-producing province of Alberta, where they're actually building new coal plants, not something we're doing in the province of Ontario. In fact, we've spent \$2 billion in the last five years bringing in state-of-the-art pollution control equipment.

The honourable member and the NDP go on time after time and try and tell Ontarians that the reason our coal plants are running is we're exporting electricity. No one

exported more electricity than the NDP during their five years in office—in fact, 67% more than at any time during our time in office, and all of that coming out of the coal plants. Don't talk to us about smog created by electricity, because you created more than any other government before you and any other government—

**The Speaker (Hon Gary Carr):** The minister's time is up.

### RED TAPE COMMISSION

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** My question is to the Minister of Economic Development and it concerns the Red Tape Commission. We know now that on the basis of the evidence tendered by the Cabinet Office, by the red tape secretariat and by Mr Steve Gilchrist that the members of the Red Tape Commission have access to a very wide range of very important, very sensitive and very valuable government information. Mr Frank Sheehan, the current co-chair of the Red Tape Commission, is a private citizen. My question today to you is simply this: given the extraordinarily sensitive and valuable government information that the Red Tape Commission and its membership possess, what specific rules does the government of Ontario apply to the members of the Red Tape Commission so that members—private citizens like Frank Sheehan—possessed of such extremely valuable information do not profit out in the marketplace by virtue of their possession of that information?

**Hon Robert W. Runciman (Minister of Economic Development and Trade):** Mr Sheehan is not a private citizen in the definition the member is suggesting here. He is an order-in-council appointment, appointed by the Lieutenant Governor in Council, and he takes an oath of secrecy like hundreds of others do, public servants who have access to confidential cabinet materials. This is nothing unusual.

In terms of the conflict question, I do agree that there is no provision for Mr Sheehan or other members in positions like he is in in this particular situation to reveal any potential conflicts. That has not been a requirement, but certainly Mr Sheehan has indicated that he is quite willing to undergo that process, if you will.

**Mr Conway:** This is very helpful. There is no provision to guard against potential conflicts of interest here. The Members' Integrity Act makes plain that all of you as cabinet ministers, in your duties as cabinet ministers, because you've got access to this very valuable insider information, are specifically prevented from a whole series of things. You can't be engaged in business. If you've got assets, they must be put in a management trust. That's there for a good reason.

We now know, according to the Cabinet Office documents, that this Red Tape Commission has access to a sweeping range of very sensitive and very valuable government information. Frank Sheehan and Steve Gilchrist, we know from their most recent filings to the ethics office, have active outside business interests. They

are in possession of extremely valuable information. I want to know, how is it that these people for months and years have had this extraordinary access and are not held to the same standard as cabinet ministers, who are understandably prevented from engaging in business because of the enormous potential there is for serious conflict of interest?

**Hon Mr Runciman:** There's a clear difference here. The Red Tape Commission is enabled to provide advice to cabinet and to committees of cabinet with respect to legislation and regulatory changes that are being proposed, as well as regulations of the government that they feel are onerous and not suitable to an enhanced business climate in Ontario. To suggest that individuals like Mr Sheehan should be required to place their assets in trust I think is quite inappropriate. Mr Sheehan has sworn an oath of secrecy. He abides by the same confidentiality provisions as any member of cabinet or any member of the public service who also has access to these kinds of documents.

### SENIOR CITIZENS

**Mrs Julia Munro (York North):** My question is for the minister responsible for seniors. There has been a lot of media attention recently about the well-being of seniors in Ontario and in Canada. Last Saturday the Toronto Star printed an article that compared the quality of life for seniors in Ontario vis-à-vis the rest of Canada. In fact the article states, "Within Canada, Ontario ranks high among the provinces and territories.... Seniors are living longer and healthier." However, this was not always the case. Historically, long-term care and community services were underfunded in Ontario. Since the Harris government was elected in 1995, these services for seniors have seen the largest increase.

As the minister responsible for seniors, could you please elaborate on what proof this government has that Ontario is a leader in investing and planning for seniors?

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** I'd like to thank the member for York North for her question. She is quite right: more has been invested in seniors' health services in this province than by any other government in this province's history. Historically, low funding by previous governments has been a challenge.

I recall that the Sorbara-Peterson Liberals, when they were in government standing on this side of the House, promised Ontarians they would build 7,000 new hospital beds. What in fact happened was that Elinor Caplan and Greg Sorbara—not only was he silent when they closed hundreds of hospital beds in York region; they closed thousands of beds across Ontario. In the last three years of the Sorbara government on this side of the House, the Sorbara Liberals didn't build one new long-term-care bed.

The fact of the matter is the Liberals don't understand the needs of seniors as an aging population and they have

done nothing but break their promises and give hollow words to seniors.

**The Speaker (Hon Gary Carr):** The minister's time is up. Supplementary.

**Mrs Munro:** Minister, thank you for your response. I appreciate your answer with regard to the province as a whole. However, York region has had a dramatic growth in the population over 65 in the last five years; in fact, 21,000 people, or a 40% increase. Today, how can we be assured that services for seniors will continue to keep pace with the growing number of seniors in the ridings of York region?

**Hon Mr Jackson:** There's no question that the Liberals broke every promise they made to Ontario seniors when they were in government. When we set about, six years ago, to correct the inequities of the past Liberal government, the proof is very clear for Ontario's seniors, and the Toronto Star agreed with us: we've got three times as much funding for the Ontario drug benefit plan, \$1.8 billion, and we've got five times more home care funding for York region, up to \$50 million. Yet we know that in the last year Greg Sorbara watched as his government cut home care in his own York region.

We have seen a 90% increase in the number of long-term-care beds: at the Villa Colombo, 160 new beds; Yee Hong Centre, 200 beds; Mon Sheong, 120 beds; the Baycrest Centre. Seniors have benefited from the leadership of MPPs like Tina Molinari, Frank Klees, Julia Munro, David Tsubouchi and Al Palladini—

**The Speaker:** The minister's time is up.

1520

#### RED TAPE COMMISSION

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** My second question is to the Minister of Economic Development and Trade. Minister, you seem to not understand what your own Cabinet Office has said is the function of the Red Tape Commission. Let me refresh your memory and the memory of the House.

"According to the Cabinet Office, the Red Tape Commission is inextricably connected to the cabinet decision-making process." According to the Cabinet Office, the Red Tape Commission has been acting "as a screening process for cabinet and its committees on a wide range of policy issues." The director of the red tape secretariat swore an affidavit to confirm that in fact the Red Tape Commission had sweeping access across all aspects of the Ontario government.

With that as evidence tendered by your government, I want to come back to the critical question: we know that people like Frank Sheehan and Steve Gilchrist—Gilchrist has confirmed it—have routine access to a great amount of very sensitive and highly valuable insider information. Are you telling us that cabinet ministers are expected to behave at one standard and people like Sheehan and the other red tape commissioners are expected to operate at a much lower standard, with no conflict oversight?

**Hon Robert W. Runciman (Minister of Economic Development and Trade):** I'm not suggesting that at all. I'm stating clearly that Mr Sheehan, I think, can be quite fairly compared to senior civil servants who indeed have access to the same kinds of material. They do not have to put their assets in trust. I think that's what the member is suggesting, and that's simply not the case. This is an effort, I think, to suggest that something nefarious is occurring here. That's not the case. Mr Sheehan is doing a good job. The Red Tape Commission is doing a good job. Any suggestions to the contrary are just inappropriate.

**Mr Conway:** Let me say, as a former cabinet minister to a current cabinet minister, we both know that the cabinet is specifically precluded from these kinds of outside activities, as are public servants, for a very good reason: you've got very valuable insider information. The province is about to find out that Mike Harris's Red Tape Commission has been everywhere, across policy, across enforcement, across compliance. Frank Sheehan and Steve Gilchrist have very powerful mandates. They are armed with very, very important and valuable information. In the morning they do their red tape work, and after hours they are out actively engaged in business, something you are not allowed to be doing.

**Mr John Hastings (Etobicoke North):** That's a scurrilous attack. Shame on you.

**Mr Conway:** I have got the filings. I want to know—

**The Speaker (Hon Gary Carr):** The member take his seat. The member for Etobicoke North isn't going to yell out. This is his last warning. The last warning to the member for Etobicoke North and he's out. You don't shout across like that to the members.

Sorry, to the member.

**Mr Conway:** I want to know in the public interest why Bob Runciman, cabinet minister, possessed as he is of insider information, is specifically precluded by statute from a whole range of business and outside activity, and Frank Sheehan and Steve Gilchrist, possessed, we hear now, of the same kind of information, apparently are not so proscribed.

**Hon Mr Runciman:** This is, I think, an unfortunate attack on the integrity of at least two individuals here. The reality is these individuals are not the decision-makers. They provide advice to the government and cabinet committees of government. They have access to information that parliamentary assistants have access to, hundreds of public servants have access to.

They have a clear record of success. One is a former member of this House; one is a current member of this House. They have a clear record of success—the facts are there—as individuals. As a commission on the part of the government, they have cut thousands of unnecessary regulations and improved the business climate in this province.

As I said, the facts are there. Some political smear job is simply not going to change that.

## LIVING LEGACY DAY

**Mr Frank Mazzilli (London-Fanshawe):** My question is to the Minister of Natural Resources. I know he's taking his seat. Minister, my question is in relation to a constituent who wants to compliment you on the job that you're doing in the protection of logs and frogs. My constituent also noticed something the other day, something called Living Legacy Day, and was wondering if that's a new statutory holiday in Ontario through your ministry and if you could explain Living Legacy Day.

**Hon John Snobelen (Minister of Natural Resources):** I think that the question from the member for London-Fanshawe is an excellent one. I'm glad he put it forward today, and I'm glad to edify all the members of the Legislature that in fact this next June 24 will be Living Legacy Day in the parks in Ontario. We will waive the gate fee for all the people who want to participate on June 24. We have some excellent programs planned, including a Carolinian tree tour at Wheatley, a Legacy Kids' Creature Theatre and Game Extravaganza at Rainbow Falls Provincial Park and other of those kinds of activities for young people and families all across our parks system.

Of course, Living Legacy celebrates 378 new parks and protected areas, over six million additional acres of protected land in Ontario and a \$100-million commitment to the largest Ontario heritage program ever in the history of this province. We're going to have fun on June 24.

## PETITIONS

## HOME CARE

**Mr Rick Bartolucci (Sudbury):** I have a 10,000-name petition which was gathered by the clients, administration and staff at the community care access centre in Sudbury. It is to the Legislative Assembly of Ontario and it says:

"Whereas the need for home care services is rapidly growing in Ontario due to the aging of the population and hospital restructuring; and

"Whereas the prices paid by community care access centres to purchase home care services for their clients are rising due to factors beyond the control of community care access centres; and

"Whereas the funding provided by the Ontario government through the Ministry of Health and Long-Term Care is inadequate to meet the growing need for home care services; and

"Whereas the funding shortfall, coupled with the implications of Bill 46, the Public Sector Accountability Act, currently before the Legislature are forcing CCACs"—community care access centres—"to make deep cuts in home care services without any policy direction from the provincial government;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) That Legislative Assembly direct the provincial government to take control of policy-setting for home care services through rational, population-based health planning rather than simply by underfunding the system; and

"(2) That the Legislative Assembly direct the provincial government to provide sufficient funding to CCACs to support the home care services that are the mandate of CCACs in the volumes needed to meet their communities' rapidly growing needs; and

"(3) That the Legislative Assembly make it necessary for the provincial government to notify the agencies it funds of the amount of funding they will be given by the government in a fiscal year at least three (3) months before the commencement of the fiscal year."

I agree with this petition and I have signed it.

## EDUCATION TAX CREDIT

**Mr Peter Kormos (Niagara Centre):** Thank you kindly, Speaker. I've got another group of petitions from young James Sandham Jr, a Centennial Secondary School student, addressed to the Legislative Assembly of Ontario:

"Public money belongs in public schools.

"We, the undersigned students, teachers and parents, are in opposition to the Ontario Progressive Conservative's proposed Bill 45, which would see public tax dollars used to fund private schools through a system of tax credits. This bill promotes a two-tier education system with one set of schools for the wealthy and one set of schools for the less privileged; undermines the concept of a public education system equally accessible to all, regardless of social class, religion or race; encourages segregation and isolation of religious groups, therefore undermining the multicultural aspect of Ontario's education system; paves the way for future privatization of public services,

"Therefore we, the undersigned, oppose the passage of Bill 45."

I have affixed my signature as well.

1530

**Mr Joseph Spina (Brampton Centre):** As opposed to the member from Niagara who has a couple of signatures, I have hundreds here and many of them come from Kennedy Road Tabernacle Christian School, John Knox Christian School and Khalsa, in the member from Bramalea-Gore-Malton's area. The petition says:

"To the Legislative Assembly of Ontario:

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

We firmly agree with this, and this young lady, Leora, is going to be pleased to take this down to the Clerk's desk.

#### NURSES

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I have another petition to the Legislative Assembly of Ontario. I have a lot of petitions.

"Whereas the nurses of Ontario are seeking relief from heavy workloads, which have contributed to unsafe conditions for patients and have increased the risk of injury to nurses; and

"Whereas there is a chronic nursing shortage in Ontario; and

"Whereas the Ontario government has failed to live up to its commitment to provide safe, high quality care for patients;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Ontario government take positive action to ensure that our communities have enough nursing staff to provide patients with the care they need. The Ontario government must:

"Ensure wages and benefits are competitive and value all nurses for their dedication and commitment; ensure there are full-time and regular part-time jobs available for nurses in hospitals, nursing homes and the community; ensure government revenues fund health care, not tax cuts; ensure front-line nurses play a key role in health reform decisions."

There are now more than 13,000 signatures on this petition, and once again I sign my signature in full agreement with the concerns.

#### NORTHERN HEALTH TRAVEL GRANT

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly. It reads as follows:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to

travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

"Whereas we support the efforts of ... Ontarians Seeking Equal Cancer Care, founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I agree with the petitioners. I have signed my name to it and I call on the government to do something with respect to the Ombudsman's report.

#### EDUCATION TAX CREDIT

**Ms Marilyn Mushinski (Scarborough Centre):** I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

I am pleased to affix my signature to this petition.

#### HOME CARE

**Mr David Ramsay (Timiskaming-Cochrane):** "To the Legislative Assembly of Ontario:

"Whereas the need for home care services is rapidly growing in Ontario due to the aging of the population and hospital restructuring; and

"Whereas the prices paid by community care access centres"—commonly known as CCACs—"to purchase home care services for their clients are rising due to factors beyond the control of the CCACS; and

"Whereas the funding provided by the Ontario government through the Ministry of Health and Long-Term Care is inadequate to meet the growing need for home care services; and

"Whereas the funding shortfall, coupled with the implications of Bill 46, the Public Sector Accountability Act, currently before the Legislature are forcing CCACs to make deep cuts in home care services without any policy direction from the provincial government;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) That the Legislative Assembly direct the provincial government to take control of policy-setting for home care services through rational, population-based health planning rather than simply by underfunding the system; and

"(2) That the Legislative Assembly direct the provincial government to provide sufficient funding to CCACs to support the home care services that are the mandate of CCACs in the volumes needed to meet their communities' rapidly growing needs; and

"(3) That the Legislative Assembly make it necessary for the provincial government to notify the agencies it funds of the amount of funding they will be given by the government in a fiscal year at least three months before the commencement of this fiscal year."

I affix my signature to that.

#### EDUCATION TAX CREDIT

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly. It reads as follows:

"Whereas the Harris government is planning to take funds that our public schools desperately need and funnel them to private schools through tax credits; and

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools; and

"Whereas this initiative is, in effect, a voucher system and is the beginning of the end of quality public education in Ontario,

"Therefore we, the hundreds of people undersigned, call on all members of the Legislature to fight and defeat this attack on the choice parents want most: stability, co-operation and respect in clean, safe public schools."

I agree with the petitioners and I have affixed my signature to it.

**Mr Wayne Wettlaufer (Kitchener Centre):** Contrary to the previous petition, which is only one page, I have 707 signatures here from such ridings as Hamilton West, St Catharines, Essex and Vaughan-King-Aurora.

"To the Legislative Assembly of Ontario:

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

I am pleased to affix my signature.

#### AIR QUALITY

**Mr James J. Bradley (St Catharines):** I have a petition which reads:

"To the Legislative Assembly of Ontario:

"Whereas the Harris government's wholly owned Nanticoke generating station is North America's largest dirty coal-fired electricity-producing plant and Ontario's largest producer of the chemicals and acid gases which contributed to deadly smog and acid rain; and

"Whereas the Nanticoke plant, which has more than doubled its dangerous emissions under the Harris government, is now the worst air polluter in all of Canada, spewing out over five million kilograms of toxic chemicals each year, including many cancer-causing chemicals and mercury, a potent and dangerous neurotoxin; and

"Whereas at least 13 Ontario municipalities and seven northeastern US states have expressed concerns that Ontario Power Generation's proposed cleanup plan for Nanticoke is inadequate in protecting the air quality and health and safety of their residents; and

"Whereas the Ontario Medical Association has stated that 1,900 Ontarians die prematurely each year and we pay \$1 billion annually in health-related costs as a result of air pollution; and

"Whereas, because the Harris government has now lifted the moratorium on the sale of coal-fired power plants and has set a date for deregulation of electricity, the operator of the Nanticoke plant will likely stoke up production to maximize profits which will only worsen the air quality in cities like Toronto, Hamilton, Welland, Niagara Falls and St Catharines;

"Be it resolved that the Mike Harris government immediately order that the Nanticoke generating station

be converted from dirty coal to cleaner-burning natural gas."

I affix my signature.

1540

### HOME CARE

**Ms Shelley Martel (Nickel Belt):** I have a petition signed by 1,500 people from the riding of Nickel Belt condemning this government with respect to home care. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the need for home care services is rapidly growing in Ontario due to the aging of the population and hospital restructuring; and

"Whereas the prices paid by community care access centres to purchase home care services for their clients are rising due to factors beyond the control of community care access centres; and

"Whereas the funding provided by the Ontario government through the Ministry of Health and Long-Term Care is inadequate to meet the growing need for home care services; and

"Whereas the funding shortfall, coupled with the implications of Bill 46, the Public Sector Accountability Act, are forcing CCACs to make deep cuts in home care services without any policy direction from the provincial government;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Legislative Assembly direct the provincial government to take control of policy-setting for home care services through rational, population-based health care planning rather than simply by underfunding the system; and

"That the Legislative Assembly direct the provincial government to provide sufficient funding to CCACs to support the home care services that are the mandate of CCACs in the volumes needed to meet their communities' rapidly growing needs; and

"That the Legislative Assembly make it necessary for the provincial government to notify the agencies it funds of the amount of funding they will be given by the government in a fiscal year at least three (3) months before the commencement of this fiscal year."

I agree with the petitioners and I have signed this petition as well.

### ORDERS OF THE DAY

#### TIME ALLOCATION

**Hon Dan Newman (Minister of Northern Development and Mines):** I move that, pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 57, An Act to promote government efficiency and to improve services

to taxpayers by amending or repealing certain Acts, when Bill 57 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment, and at such time the bill shall be referred to the standing committee on general government;

That pursuant to standing order 28(h), the vote on second reading of the bill may be deferred until the next sessional day during the routine proceeding "deferred votes";

That the standing committee on general government shall be authorized to meet on the morning of Wednesday, June 27, 2001, in addition to its regularly scheduled meeting times on Wednesday, June 27, 2001, but not during routine proceedings, for clause-by-clause consideration of the bill; and

That the committee shall further be authorized to meet beyond its normal hour of adjournment on June 27 until the completion of clause-by-clause consideration; and

That all proposed amendments shall be tabled with the clerk of the committee by 9 am on Wednesday, June 27, 2001; and

At 4:30 pm on that day, those amendments which have not yet been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. Any divisions required shall be deferred until all remaining questions have been put and taken in succession, with one 20-minute waiting period allowed pursuant to standing order 127(a);

That the committee shall report the bill to the House no later than Thursday, June 28, 2001. In the event that the committee fails to report the bill on the date provided, the bill shall be deemed to have been passed by the committee and shall be deemed to have been reported to and received by the House;

That upon receiving the report of the standing committee on general government, the Speaker shall put the question for adoption of the report forthwith, and at such time the bill shall be ordered for third reading;

That the order for third reading may be called on the same day the bill is reported from committee and at such time the Speaker shall put every question necessary to dispose of the third reading stage of the bill without further debate or amendment;

That no deferral of the third reading vote pursuant to standing order 28(h) shall be permitted; and

In the case of any division relating to any proceeding on the bill, the division bells shall be limited to five minutes.

**The Speaker (Hon Gary Carr):** Mr Newman has moved notice number 39. Minister? Oh, sorry, Minister of Labour.

**Hon Chris Stockwell (Minister of Labour):** Thank you very much, Mr Speaker.

**The Speaker:** I apologize. The mover has the floor first; otherwise it goes to the other side. Further debate?

**Mr Mike Colle (Eglinton-Lawrence):** I'm going to split my time with a number of my colleagues, the member for St Catharines being one.

I would like speak to the closure motion. For people out there who perhaps don't understand the jargon of the Legislature, a closure motion basically means that this government is trying to cut off debate. This is a usual pattern of this government. It has probably cut off debate more times than any other government in recent history. It has a habit of ensuring that the public doesn't get the chance to find out what's going on in major pieces of legislation. This closure motion, an attempt to cut off debate, refers to Bill 57, a bill supposedly aimed at promoting government efficiency etc.

What is interesting about Bill 57 is that basically it is an omnibus bill, which means it deals with a huge number of ministries and affects the citizens of Ontario in many ways, whether it be the Mental Health Act, the Notaries Act, the Public Guardian and Trustee Act or things like the Charities Accounting Act. It also deals with things like family responsibility and labour law. It deals with the Ontario College of Teachers and with the Funeral Directors and Establishments Act. It deals with a vast number of government activities, and this government essentially is saying, "There shouldn't be any debate on this. Pass it and trust us."

What has been brought to light by my colleague from Renfrew-Nipissing-Pembroke is that this bill is a by-product of a secret part of this government called the Red Tape Commission. It is secret, in camera, like a Red Guards committee of this government that basically has insider information on how this government operates.

As you know, a cabinet gets all kinds of proposals before it that could affect everything from the price of land—it could affect future policies in education, future policies in technology and economic development. So cabinet ministers are sworn as cabinet members, and they also are supposed to put their business holdings in trust so there isn't any conflict of interest with the decisions they make as cabinet ministers.

We've found out through the government's own documents that the secret commission called the Red Tape Commission, which is the author of this piece of legislation, has in essence extraordinary powers to investigate, to comment on, to change, to block and to alter legislation that this government passes. Bill 57 is a product of the secret Red Tape Commission, and as you know, one of the leading members of the Red Tape Commission, one of the co-chairs, is not even an elected member. He is an appointed citizen. He has access to private information.

The question we ask on this side of the House in regard to Bill 57 is, how many of these deliberations over Bill 57 did the Red Tape Commission in essence have insider information on before it made these decisions that turned into law? As the government's own documents have shown in recent days, in a submission to the Information and Privacy Commissioner, the government's Cabinet Office—their own Cabinet Office—said

the Red Tape Commission is inextricably connected to the cabinet's decision-making process. Ministers are asked to appear before the Red Tape Commission to discuss their policies, proposals and draft legislation before they appear at cabinet or any of its committees. So this secret Red Tape Commission brings ministers up on the carpet to basically get their approval.

1550

So the genesis of this Bill 57 really strikes at the heart of the English parliamentary system. We have an unelected, basically unaccountable body that has the extraordinary powers to make laws in this province, while at the same time these members of the commission don't have to declare conflicts and can continue to participate in business activities while they make these, in some cases, serious inputs on government legislation.

We on this side of the House are saying the tradition in this Parliament has been for cabinet to in essence declare their conflicts, to in essence ensure that there was a process that made sure there wasn't what we might call insider trading going on before they made cabinet decisions. Now we know that this extraordinary body called the Red Tape Commission in this bill made decisions on everything from the Conservation Authorities Act, Crown Forest Sustainability Act, Lakes and Rivers Improvement Act, all kinds of areas of serious impact and serious financial impact, everything from the Chartered Accountants Act to matters of government property.

Almost every aspect of life in Ontario is touched upon by this legislation that is the product of this secret Red Tape Commission that in essence in some ways is more powerful certainly than we MPPs, more powerful than the cabinet, because they can overrule proposed legislation or change it. What is most extraordinary is that they can do it without those qualifiers whereby they have to declare what business interests they have.

That is unheard of. This Red Tape Commission that produced Bill 57—I really wonder whether there's a similar body in any jurisdiction in North America or any jurisdiction in the British parliamentary system. It's not just about reducing so-called red tape, because as Mr Conway, our illustrious member from Renfrew, said, one of the members of the Red Tape Commission even wrote a letter to the Minister of the Environment asking him to back off prosecution of a polluter, interfering, basically, in a legal proceeding by writing under the heading of red tape commissioner, trying to basically stop prosecution of a polluter. As the letter said—this is Mr Sheehan, one of these red tape commissioners, probably the most powerful one there, a private citizen now, to the Minister of the Environment—"I would like to bring to your attention the case of a landfill operator being prosecuted by your ministry." The Ministry of the Environment, according to Mr Sheehan's letter, "is continuing to pursue enforcement of this matter with a vigour that might be better applied elsewhere." In other words, this most powerful red tape commissioner, who is more powerful than most cabinet ministers, was telling the minister to

not prosecute this polluter and telling him to move on to another matter.

We know from the Canadian Environmental Law Association that the same Red Tape Commission has, by stealth, weakened dozens of environmental laws in this province on water quality, on air quality, on pollution. The Canadian Environmental Law Association, a very esteemed body, has said the same commission has been diluting these protections from environmental law in this province.

It comes back to my point: who does the Red Tape Commission serve? With Mr Sheehan's letter we can see the Red Tape Commission certainly was not on the side even of the Minister of the Environment. The red tape commissioner was on the side of the polluter. We know by the record that the Red Tape Commission has gutted environmental law systematically for the last six years.

It raises the question, not only in terms of—now we know why the government wanted to cut off debate on this bill. We know that, because this is the incredible by-product of a secret, extraordinary commission that has almost dictatorial powers in this province. This needs to be exposed, and that is why we in this House are saying that this bill should be stopped. This bill and all the back-room shenanigans that went on to bring about this bill and the work of the Red Tape Commission should be the subject of an independent examination, because this stinks. It stinks to high heaven, this bill and what this commission has been doing behind closed doors.

**Mr Bob Wood (London West):** On a point of order, Mr Speaker: On behalf of the member for Parry Sound-Muskoka, I know the whole House will want to join with me in welcoming the grade 4 and 5 class of Edie Thurston and accompanying parents from V.K. Greer Public School in Port Sydney.

**The Speaker:** Further debate?

**Ms Shelley Martel (Nickel Belt):** I wanted to let you know, Speaker, that I'll be sharing the time that we have with my colleague from Hamilton West and my colleague from Timmins-James Bay.

In the time that I have, I want to focus first on the closure motion that we have before us yet again today. Secondly, I'm going refer to one of the schedules in Bill 57, the one that I have obviously the most concern with, and that is schedule I, which, in my opinion, guts the real heart of the Occupational Health and Safety Act and puts workers at risk in our province.

First, though, let me begin with the time allocation motion because, of course, it's Wednesday, and yet again this Wednesday, as we did last Wednesday and the Wednesday before and the Wednesday before that, we are here dealing with another closure motion. The government uses its majority and shuts down legitimate debate yet one more time in this House.

Usually the government starts at the beginning and talks about how long this bill has been debated, and I notice they didn't do that today. Maybe they'll do it later. I suspect that's because there has been completely inadequate debate on this bill, and if the government

actually told the people how many hours it has been debated, everyone would clearly see that.

We're dealing with a bill that covers any number of acts. Bill 57 is one this government's omnibus bills, which is about 100 pages long. It amends 50 different acts, it involves 15 ministries, and it repeals a handful of others. Like every other omnibus bill that this government has brought before us, it is a bill that in fact tries to hide some really difficult and really controversial and frankly some really dangerous changes that the government wants to make to legislation. But instead of bringing forward a separate bill to deal with those changes, to have adequate debate, the government chooses to hide what it wants to do, to try to put that in with a number of other changes—hundreds and hundreds of other changes—in the hope that the public won't pick up on some of the more dangerous and controversial of those. But I'll deal with schedule I momentarily.

What the government wants to do today is effectively shut off any meaningful, legitimate, reasonable debate on any number of these changes. The government has, this week, tabled two closure motions with respect to this bill. The first, which was tabled earlier this week, on Monday, was a time allocation motion that would have allowed for no clause-by-clause debate in committee, there would have been one day of debate on third reading, and there would have been a deferred vote. That was the first proposal the government had. That was tabled on Monday.

Then on Tuesday the government withdrew that motion, and last night a different one was tabled. The motion that we're dealing with today, different than the one on Monday, allows for clause-by-clause. I suspect the only reason that's happening is because the government has some amendments to move and wants to allow itself the opportunity to do that in committee, because, God knows, the government is not going to accept one single amendment that comes from the opposition parties. That's clear.

There will be no debate on third reading whatsoever, even though under normal parliamentary process there would be at least some kind of debate on second reading and some kind of debate on third. The government has completely done away with that opportunity for members with this motion. And there would be no deferred vote, of course, because the day this is going to come back is next Thursday, and the government surely wants to shut down the House next Thursday because the Premier is going to be testifying at Walkerton and we sure don't want the House to be sitting when that's going on, do we? Maybe then the Premier would have to answer for his role and for his lack of taking responsibility for what happened in that tragic circumstance in that community. The government's going to be sure that this House shuts down next Thursday so there's going to be no opportunity in here to question the Premier on what will come out when he goes to Walkerton to finally testify.

1600

But I find it offensive that in neither motion, the one that was tabled and withdrawn and the one we're dealing

with here today, is there any allocation for public hearings. We've got a bill that's 100 pages long and affects 15 ministries and 50 different acts, and this government is not going to allow one second, one moment, one minute of public hearings so that the people of this province who are going to be affected by these changes might actually have an opportunity to come and have their say—not a half-hour, not five minutes, not five seconds, nothing, no public hearings, because in truth this government doesn't want the public of Ontario to come and have a say. This government has decided this bill is going to go through, and I suspect the only reason there's even a period for clause-by-clause, which was different from the motion that the government had before us on Monday, is because the government itself has found that it's going to have to move some amendments to fix the bill and so they're going to allow that to happen in the clause-by-clause next Wednesday.

I can tell you, if the opposition were to spend any time developing some amendments—and there are surely some amendments that could be developed in schedule I, which essentially guts the heart of the Occupational Health and Safety Act—the government wouldn't want to consider any of those anyway because the government hasn't been interested in a long, long time—too long for me to care to count—in accepting amendments from the opposition parties with respect to government bills. So here we are today, Wednesday, the fourth Wednesday in a row that this government is moving a time allocation motion to shut debate down on an important bill. Here we are today doing it again on yet another government bill.

I am really angry about schedule I in this bill, and I resent that the government is not going to have one moment, one second, one hour, one minute of public hearings on this bill. Separate and apart from all of the other changes that the government makes in this bill, the changes in schedule I are very detrimental, very negative, very draconian, very difficult for workers to accept. Schedule I refers to the changes being made under the Ministry of Labour; in this case to the Occupational Health and Safety Act, the act that's supposed to be in place to protect workers when they go to work day in and day out in this province, the act that's supposed to be in place with rights that they are supposed to be guaranteed, that if they go to work and the work is unsafe, they can exercise their right to refuse and that will be investigated by an independent third party, namely an inspector from the Ministry of Labour.

What is the government doing in schedule I that will so seriously undermine the rights of workers? The first thing the government wants to do is to repeal subsection 47(7). That's the section in the act that currently requires, demands, makes it mandatory, makes it obligatory for a health and safety inspector from the Ministry of Labour to investigate on site in the presence of a worker a work refusal made by that worker. That's a requirement now, not an expectation. It's a requirement. It has to happen. It's automatic. So when a worker in this province exercises his or her right to refuse unsafe work and the

employer says, "Work anyway," and that worker says, "I will not because it is unsafe," a health and safety inspector has to come and investigate that site and investigate the complaints of the worker and decide whether or not it is a legitimate right to refuse, and issue a work order if it is.

When my colleague Mr Kormos, who is our labour critic, went for a briefing at the Ministry of Labour, he asked, "How many times in a given year does a worker refuse or do workers collectively exercise their right to refuse?" Do you know how many times that was? Ministry staff told us this: 200 to 300 times on average in a year a worker will exercise a right to refuse. That's not even one every day in the province of Ontario, and we know that people go to work every day in the province of Ontario—not even one a day across this province. That's how rarely workers exercise this right. So the government has no grounds to say that it is being used frivolously, that workers are taking advantage of this right—not even one per every working day in a year across this entire province, because workers don't take this right and just exercise it frivolously. They take it very seriously. I suspect that every single worker who exercised their right to refuse was a worker in a unionized shop, because God knows that a worker in a non-unionized shop exercising a right to refuse might as well sign their pink slip themselves, because they'll be out the door. So it doesn't happen frequently at all.

Then Mr Kormos asked why the the government was doing this, and did that mean that in most cases an inspector now, who doesn't have to appear on site automatically but who only has to be contacted at the end of the telephone to make a decision about whether or not it's a legitimate work refusal—how many times would the ministry still come out on site to see what was happening? The ministry staff assured us that in 99% of the cases the ministry staff is still going to go on site when a worker exercises their right to refuse.

So I ask the Minister of Labour, who is here today, what is the point of this? What is the point of your changing the law to take away what is a mandatory provision and making it into a decision that can be exercised at the discretion of a health and safety officer at the end of a phone, making a decision as the details of the work refusal and the condition of the workplace are described to him or her? What is the point of changing that from being mandatory to something at the discretion of the inspector if you don't intend to use it, if in 99% of the cases that inspector is still going to go on site?

Do you know what? I have to admit that I don't believe for one moment that in 99% of the cases the inspector is going to continue to go out on site. I don't believe it because I don't see why the government would go to the trouble of amending the act to allow that inspector to have the discretion if he or she is not going to be able to use it. I clearly believe, and I hope I'm proven wrong, that once this revision goes into effect there will be many, many instances where that health and safety inspector no longer visits that work site with the

worker there to see why the work refusal was initiated in the first place.

I think it's a basic right of a worker to be able to refuse unsafe work, and when a worker takes the risk in doing that, because it is a risk, especially in a non-unionized environment, then there is an obligation on this government to provide an independent third party to examine the site to determine why the work refusal was exercised, to determine if the worker was right, and if so, to initiate a work order on the company or to shut the site down. I believe workers are entitled to that. There should be no discretion; it should be automatic.

I say to the Minister of Labour, who is here, if it is not your intention to not have these inspectors go out in the majority of cases, then why is this provision before us? Why are you allowing this to happen?

**Hon Mr Stockwell:** The majority of cases.

**Ms Martel:** Actually, I should use the words of your own ministry staff, which were, "in 99% of the cases." If it's not your intention that they don't go out in 99% of the cases, of the times when the work refusal occurs, why are we doing this? Why are we here?

**Hon Mr Stockwell:** You don't listen.

1610

**Ms Martel:** No, that's what your ministry staff told my colleague Mr Kormos in a briefing, that in 99% of the times they would still go out. Then take this section away, leave it unchanged, leave it the way it was and make it mandatory for an inspector to appear.

Before I go any further, I think it's important that I read into the record again a letter the Minister of Labour got on June 11 from the OPSEU chair of the Ministry of Labour MERC team and the OPSEU vice-chair from the Ministry of Labour MERC team. These are the folks who represent the health and safety inspectors in the province. The reason I raise this is that these are the very people who automatically go to a site now when there's a work refusal. This is what they had to say about this government's change:

"We are writing you as representatives of health and safety inspectors seriously concerned about the adverse impact of the proposed changes to the Occupational Health and Safety Act introduced by Bill 57."

These are the minister's own staff.

"We have grave concern about the proposed changes to section 43(7) of OHSA which will now allow an inspector to investigate a work refusal without having to be present at the workplace to examine the actual work situation. As health and safety professionals, we find this an absolutely unacceptable approach that perverts the basic tenets of good investigative practice and sound health and safety and industrial hygiene principles. Such an approach will inevitably result in the tragic consequences that the lack of regulatory vigilance led to in the town of Walkerton.

"From our own experience"—I know he doesn't like to hear this from his own staff. Isn't it interesting that this letter comes from the ministry's own health and safety staff, the very people who have to put in place, maintain

and enforce the Occupational Health and Safety Act, the very same people who are going to have to deal with the changes the government is making? Isn't it great?

Let me read you some more.

"From our own experience, we have found that what seems like a minor health and safety problem from an over-the-phone work refusal report generally turns out to be much more serious when we are able to investigate the circumstances directly. Indeed, the ministry's own data will bear out the fact that the work refusal provision is used quite infrequently (a couple of hundred times per year) when compared to the thousands of contravention and stop-work orders we issue annually. Likely, there could be many more well-founded work refusals than actually do occur.

"As inspectors we are perplexed by the introduction of this questionable approach. While this approach may save some inspector time in the field, we find it inefficient with respect to achieving the desired end of enhanced workplace health and safety. We know that the ministry does have a staffing shortfall in terms of the number of inspectors in the field." I believe it's about 280 positions, with only 200 filled. "We also have a shortage of other professional disciplines such as industrial hygienists, professional engineers, scientists and occupational health doctors and nurses. These, you will recall—"you" being the Minister of Labour—"were drastically cut from the occupational health and safety program in 1996," under this Conservative government.

"However, further limiting an inspector's vital investigative roll is hardly an appropriate way to go about addressing a staff problem. The OPSEU MERC team has met with your senior officials on several occasions and requested accurate data on staffing levels, only to be rebuffed. We have also raised our concerns about the loss of these significant support functions from these professional disciplines and our once world-renowned occupational health laboratory.

"There are many other elements to the proposed amendments that we have concerns about. For example, we do not see the virtue in repealing section 34, requiring an employer to post notice when introducing a new substance in the workplace. Nor do we find it wise to repeal section 36, which required the provision of hazardous materials inventories. And what is one to make of the proposed code of practices?"

**Hon Mr Stockwell:** They don't even understand it.

**Ms Martel:** Isn't it interesting? The minister says they don't even understand it. This is his own health and safety staff. These are the people who do the job. These are the people who enforce the Occupational Health and Safety Act in the province on behalf of the Ministry of Labour, and the minister says they don't know what they're talking about. Well, that tells you what he thinks about his own staff.

"What has been the experience from other jurisdictions? Is this a step to now deregulate workplace safety and health? Again, senior officials have been in

the process of developing 'new' systems without inviting the participation of field inspectors in this endeavour."

Here's the final paragraph: "In light of the probable adverse impact of these proposed changes to the legislation we are entrusted to enforce, we request a meeting with you at your earliest convenience. We also request that you consider withdrawing these amendments until your inspectors and other workplace parties have been given an opportunity for meaningful input. This is not the time to be expedient. This is the time to be thoughtful and measured in our judgement."

It's signed by the chair and the co-chair from the OPSEU MOL MERC team, I remind everyone the very same people, health and safety inspectors, who are supposed to uphold the provisions of the health and safety act. That's what they have to say about the government changes.

Since the minister is here, I trust that he's going to respond to me as to whether or not he did have a meeting with these folks about this matter. Because we know they certainly won't have an opportunity to have their say at public hearings on this bill, because the government isn't permitting any public hearings on this bill.

If you look at the motion, it's very clear that next Wednesday morning there will be clause-by-clause consideration of the bill, and then the bill will be reported here on Thursday. No third reading debate, no deferred vote. It's all over, it's done. And where is the meaningful public input, not only from the minister's health and safety inspectors but from health and safety activists who work with this act in the workplace every day? I'll tell you, they've got concerns.

I was in Sudbury this morning and had the privilege of speaking at the workers' memorial day held by Mine-Mill CAW, which is held every June 20 to commemorate the deaths of four miners that occurred June 20, 1984, in a rock blast in our community on Falconbridge property. When I talked about these changes—and many in the room knew about them, because the health and safety activists were there—they couldn't believe that this government is going down this road. They couldn't believe that they would be put in the position of a worker underground at 4,000 feet, trying to explain to an inspector over the phone the reason why they're exercising their right to refuse at 4,000 feet underground and that that individual might actually have the discretion to try and determine over the telephone if that work refusal was legitimate or not. They cannot believe it, and frankly neither can I. That's just one workplace in our community.

Because I am sharing the time with my other colleagues, I'm going to wrap up. But I'm going to close by saying the changes alone in schedule I are so ridiculous and so dangerous to the health and safety of workers that they merit public hearings. But people won't have a chance to come and have their say on these important provisions, the work refusal that I talked about and the two other sections on notification to the director of new agents to be introduced in the workplace or the repeal of

the section that demands that an employer post the chemicals that people are working with in the workplace. I didn't even touch on those.

Those things are such dramatic changes, things that used to be in place to protect workers' rights, that workers themselves and their health and safety activists should have had a say, and they won't. I guess that's typical of where we've been heading over the last number of weeks with respect to the ability of people to have their say. But again, as I said, Wednesday, four weeks in a row, we're dealing with yet another closure motion, which not only shuts down debate but leaves no opportunity for people to have their say.

I hope the government is happy. That's the way they want it. I just wonder what it will be like a year from now when people, workers in their workplaces, don't have the opportunities to exercise their rights, what our health and safety stats, what our injury stats and what our death statistics are going to look like when these changes are implemented.

1620

**Hon Mr Stockwell:** It is a frustrating job, this one. You stand in this House on two or three occasions, and you walk very slowly and speak very slowly and explain very rudimentarily to the members opposite. You explain it to them so that you believe virtually anybody would understand, and it never fails: the next day or the day after, you've got somebody standing up like the member before and she says exactly the same thing the day after that she said the day before. You explain to them the rationale, the reasonableness, the sensitivity specifically to the bill.

But she got up again, frustrating as it may be, and now I feel some obligation, as difficult a task as it may be, to try and explain it to her again. So here goes. This is productive use of time, the opposition thinks. "Oh, sure, we'll make them move time allocation motions" on the simplest bills with straightforward language that's very understandable, that have been through the process. Now you see, sometimes what happens is they don't pay attention on purpose. In my mind, I think sometimes they don't know because they don't want to know. It's not that they don't understand; it's that they just kind of put their fingers in their ears and start going, "La, la, la. I don't want to know the truth. I don't want to know the facts, because if I know the facts, how am I going to stand up and make an incoherent speech?" like the one we just heard. You can't. So it's best to pretend to be working or talking to somebody and pretending that you're not listening so I can go out and make that very same speech again.

Let's start at the beginning. She made a lot of invaluable, unreasonable, inaccurate comments, and I guess I'd better walk through them. But again, we're going to have to do this because they don't want to debate important bills. They want to take every bill to time allocation. They don't want to get any bill through this House. They want to hold up every single one of them. Do you want to know what they want to hold up? Renaming the

university, Sir Wilfrid Laurier. They think we should take three or four days debating that. Rather than important stuff, no, we'll take three or four days to debate what we'll name Sir Wilfrid Laurier. That's their House leader. That's the guy. He says, "Boy, that's way more important than debating education bills or budget bills. We should take four days and debate renaming Sir Wilfrid Laurier." Then they say, "Oh, the heavy hand of the government is coming down again with time allocation." We've got to move time allocation; otherwise we'd spend two or three weeks in here talking about what new name Sir Wilfrid Laurier would have. But that's the priority of the opposition.

I will say that when you offer them committee time, they don't want it. They don't want committee time because they want to make you move another time allocation motion.

So here we are, and I'll work my way through this again. I'm really happy she stayed. I think it's important. I'll have more than 10% of the NDP caucus listening, and I feel very welcome and happy about that. So let me walk through it.

She did mention right off the top the easiest one to explain. I can't believe she keeps bringing this one up, because it is so straightforward: section 36. You were talking about withdrawing section 36. Here, I'll go slow again, OK? I'll say it so I'm sure you'll understand and then you won't have to repeat this again.

**The Acting Speaker (Mr Bert Johnson):** Through me, please.

**Hon Mr Stockwell:** Through you. I'll do it through you. Maybe you'll have more success. Maybe this will work better off you to you.

OK. Section 36 has never been in effect. Got that? Never been in effect.

Now, let's help her on that. Has—you know what "has" means. "Never" means it's never happened, it's never occurred, like "The Toronto Maple Leafs have never won five Stanley Cups in a row." You see? That's never happened. So we've had "has" and "never." "Been." "Been" is a simple one. I'm helping you on this one. "Human being"—it's not like that; it's "been." "In effect."

So "Why?" you want to say. "Why" moves on to the second part of this complicated sentence, as long as we're OK on the section 36 never being in effect. I've got you so far, OK? If I lose you, just shake your head; I'll hear you.

Section 36—

**The Acting Speaker:** I would ask the minister to direct his comments through me, please.

**Hon Mr Stockwell:** Mr Speaker, I'm doing my best.

*Interjection.*

**Hon Mr Stockwell:** Here she goes. She can't listen and talk. Maybe she can.

Section 36 has never been in effect. "Why?" you may say. Good question. I didn't hear you say it, but I'll ask it for you. "Why has section 36 never been in effect, Minister of Labour? Why would you withdraw a section

that's never been in effect?" Why? Because WHMIS is much more comprehensive. WHMIS is more comprehensive than section 36, passed by the Liberals. You didn't like section 36. WHMIS was better, so you passed WHMIS, and you never repealed section 36.

Now please stop saying that you think it's a travesty that we should be withdrawing section 36—

**Ms Martel:** Your own health and safety inspectors say it.

**The Acting Speaker:** Order. Member for Nickel Belt, come to order.

**Hon Mr Stockwell:** —because it doesn't even apply. Section 36 doesn't apply. It never has.

**The Acting Speaker:** I'm directing the member for Nickel Belt to come to order.

*Interjection.*

**Hon Mr Stockwell:** I don't think she came to order, Mr Speaker. I don't think she came to order. I think this is why we have to keep repeating ourselves.

So we're there. Section 36 has never been in effect. So you're OK with that one? WHMIS overrode it. WHMIS is more comprehensive. WHMIS is the thing that tells you where all the hazardous chemicals are in the workplace. Everybody passed that bill. Everybody agreed that's way more comprehensive than section 36, so we repeal section 36, that has never been in effect. So you can stop saying that. That's one.

Two—and I hope I'm not going too quickly—health and safety inspectors. There is no law in this bill that—and this is a big word; it's a compound word—prohibits inspectors from visiting a site. Not there. Doesn't exist. Nowhere in here does it say an inspector is prohibited from visiting a site. It's completely up to the inspector to determine whether or not they visit the site. It's not the government, it's not the member of the opposition, it's not my good friend from Cambridge, it's not I and it's not you, Mr Speaker. It's not even my friend Mr Decker at the Clerk's table. No. It is the inspector who decides whether or not to visit a site.

I read into the record the other day an example of a case where an inspector may decide—may decide—whether to visit a site. That example was example 1. That's "1," example 1: a work refusal stating the worker's supervisor was not qualified to be his boss. Clearly it's not a health and safety issue. However, under the current act's language, we had to send an inspector to that workplace. Even the member opposite, I think, would be chillingly alarmed and agreeable that for somebody who says, "I don't think, sir, you are qualified to be my boss," that probably isn't a health and safety issue. That probably shouldn't shut down the entire factory. That probably shouldn't need to get an inspector to travel two hours to visit the site. You probably shouldn't need to get everybody together for a couple of hours to have a discussion about it and you probably shouldn't need to shut the plant down for five hours only because somebody says, "Sir, I don't think you're qualified to be my boss."

**Ms Martel:** It doesn't anyway. Don't be silly.

**Hon Mr Stockwell:** Oh, "Don't be silly." That's an example. That's an—

*Interjection.*

**The Acting Speaker:** Member for Nickel Belt, come to order.

**Hon Mr Stockwell:** The member says it never gets shut down for four or five hours. She doesn't even understand that. She doesn't understand that, because a lot of these places that have made these requests are many miles from where the inspectors are actually located. A good example would be that sometimes they have to travel great distances up north and it takes longer than a couple of hours—I hate to lose her attention now. I thought I was making yards—and not just a couple of hours. Sometimes it takes days. You had to go days if somebody said, "I don't think you're qualified to be my boss." Now, everybody in this House would agree that's not a health and safety issue. That may be a disagreement, that may be a personality conflict, that may be a union-management disagreement, but "You are not qualified to be my boss" is not a health and safety issue.

Here's another example.

1630

**Mr Bruce Crozier (Essex):** Has anybody ever asked you to—

**Hon Mr Stockwell:** They've actually done that.

Example 2: MOL received notice of a work refusal and investigated. Here's one—I've lost her. I really say I'm sorry because I might have to give this speech again.

They received a work refusal and investigated. Hours later a work refusal by another employee, under the exact same circumstances, came in. Let's try and put this in perspective. The health and safety inspector got a work refusal at a plant. The health and safety inspector went out, investigated the plant, sat down with the people, discussed it and resolved it, went back to their office, sat down at their desk, the phone rang, picked up the phone. In exactly the same place, under exactly the same conditions, a different employee phoned up and had exactly the same health and safety request.

Under the old law, the inspector then puts the phone down, gets their coat, goes back out to the site, however far that may be—in some cases, hours and hours—gets the parties together, sits down and says, "My goodness, I was just here. This isn't a health and safety issue. Maybe we should all go back to work," gets up from the table, puts their coat back on, gets in their car and drives back to work.

Those are two really interesting examples of why an inspector couldn't say to the person who said, "I don't think you're qualified to be my boss," or to the one whose work refusal was exactly the same as the circumstance he had just investigated a couple of hours ago, "Hold it. Why don't you send me the information. Maybe I'll have a look over it and then maybe I, as a professional civil servant, will determine whether or not it is necessary to go out and inspect."

That's the second one. Just to recap, we've got the first one, which was section 36 has never been in effect,

and the two examples of work refusal where a person would actually do it on the phone rather than say the boss isn't qualified or inspect a site they had just inspected not more than two hours ago.

We move on because there is more interesting stuff. Apparently in this dissertation—and I'm really disappointed because she's doing that old trick again. Isn't that right? The old opposition trick. If they're making sense and refuting all your arguments and making your debate look silly, pretend you're talking to somebody else or leave the room, but since there is only one of them, I guess they can't leave the room. See, there they go, they're discussing it. They don't want to listen any more. They don't want to know the facts, because then they can't give those kinds of speeches they just gave. If they actually knew that section 36 has never been in effect or that people actually make these kinds of health and safety complaints, then how could they stand up and get so indignant and outraged? The synthetic indignation drips out of their mouths. They couldn't do it, because then they would have all the facts. We all know that as an opposition member, what the hell we don't need is all the facts.

Then we move on to, what about the employees? Well, in this provocative, frontier-like, 21st century government, we have what you call independent committees made up of management and unions who come together and meet about legislation. We had one of these committees, an internal labour ministry committee, made up of unions and management. They came together and discussed the very issue of inspectors and whether or not they need to go out for every call. They discussed it for upwards of a year.

*Interjection.*

**Hon Mr Stockwell:** The member opposite says these two people didn't know. Well, I'm sorry they didn't know.

*Interjection.*

**The Acting Speaker:** Order. I'm sure these two debaters would rather be sitting somewhere holding hands and settling this, but I can't have this back and forth. I purposely controlled the Minister of Labour during the debate, and I'll take whatever means are necessary to have his debate listened to.

**Hon Mr Stockwell:** I am simply giving my speech. I know it seems a tad slow and a little rudimentary, but I was forced into that situation. I'm doing my best.

We have these committees within the Ministry of Labour. The union participates. This is frontier thinking. I don't know if they did it when you were in government, but we think this is a really good thing: to get unions and management together and talk about these issues that are percolating to the top. They had their opportunity to have input. They had their opportunity at that committee to make arguments one way or the other. They percolated to the top, and that was the suggestion brought forward by the civil service.

That's the frustration I have as Minister of Labour. They've really hung their hat on three issues: one, about

this letter, and they had ample opportunity to input through the adopted, principled processes of the Ministry of Labour—I think the NDP put them in place; we've continued them—on how members and union officials and employees can have input into the drafting and designation of government legislation. The second we've already heard, that section 36 has never been implemented, which really is a kick in the jaw, don't you think, when you've been standing up and complaining about the withdrawal of section 36, and then somebody actually stands up a few seconds later and says, "Well, jeeppers, it was never actually implemented." You've really got to feel like you've been kicked in the jaw, because you've just wasted a whole bunch of time talking about how wonderful a section it is, when really the section was never law. Then, of course, we've got the examples of people who phone in to help in the workplace.

Mr Speaker, you're probably saying, "You've taken this too far." I guess it's because I am frustrated. We all think health and safety is important. I think everybody in this House would suggest that health and safety is important. Nobody believes for a second that people should be working in unsafe workplaces, putting themselves or their lives at risk. The arguments that the opposition make infer that we're passing legislation that does that. That's unbelievable. Frankly, it's unbelievable that anyone would suggest to me that I am passing legislation that would put people's lives at risk. That's absolutely absurd. I wouldn't do that.

I could counter that argument. By allowing these people to do these phone investigations for the more frivolous and vexatious ones, we are actually creating more time. Rather than taking three, four, five, six hours to go to an inspection at a site that had just been inspected or to determine whether your boss is qualified to be your boss, they're actually going to go out there and inspect sites that are real: real health and safety issues, places we wouldn't have gotten to if we didn't have this legislation, places that wouldn't have been inspected, putting people's lives at risk.

Isn't that the end-game here? Is it not the end-game of every member of this House—to the member opposite—to actually get into those places where people's lives are being put at risk? Is that not our goal? And to put stop orders out to create safe workplaces? Do you really think it wasn't a safe workplace when a gentleman phoned up and said, "I don't think this guy's qualified to be my boss"? Do you really think that was a health and safety issue? Do you really think anybody's life was in danger? I don't.

Somewhere in the province, someplace, somebody's life was in danger. One of the reasons we didn't have a ministry official there was because he was investigating this bogus, ridiculous complaint. But the members opposite say, "Oh, don't remove this bogus and ridiculous process to investigate vexatious and frivolous complaints, because we'll hang you out to dry. We'll claim you want people to die in the workplace; you're not interested in saving their lives. It doesn't matter about what's common

sense or what actually goes into making those decisions or whether or not someone is actually investigating an unsafe workplace. No, no, no. This is politics. Politics comes before people's lives. It's got to come before people's lives, because we're the third party"—or the second party—"and we want to be over there. So it doesn't matter if it makes any sense or not; we're just going to accuse you of it and we're going to say, no, you can't remove this silly legislation that says, 'This guy isn't qualified to be my boss.'"

So I've got to send an inspector out there—four or five hours to go inspect whether or not this guy is qualified to be your boss. There's no health or safety issue. Nobody's life is at risk. Nothing. But, as I said, if it's something serious and that inspector isn't there, it's because you played politics with legislation. That's why the inspector isn't there.

1640

**Ms Martel:** He's not there because you have 80 less inspectors than you're supposed to have.

**Hon Mr Stockwell:** Yes, well, now we've got a new one here. Now she suggests—

**Ms Martel:** No, I said that in my remarks.

**The Acting Speaker:** Order. Member for Nickel Belt, come to order.

**Hon Mr Stockwell:** I think I compelled her in that argument, didn't I? At least I got through to her, because she's changed a little bit now. I'm hopeful. She's changed a little bit. There's a light at the end of the tunnel for me because I can say to the members opposite, holy smokes, I may have gotten through. A glimmer of hope, a shining light. I'm happy. At least she's changed topics.

I say to the members opposite, we do more inspections. We do have more stop-work orders. They are statistics, I agree, but they are statistics that we're somewhat proud of. But the question still stands, and I know the members opposite agree: if one person dies in a workplace-related incident, it's one too many. If one student goes to work and dies in a workplace-related incident, it's one too many. We all agree with you. I don't disagree with that. I agree with that. St Catharines agrees with it; Windsor agrees with it; Ottawa; you do, I'm sure. Nobody wants to see anyone die. Why would you think in your mind that we would bring legislation in that would be designed to see people die? You've got to be out of your mind. That's what you're saying: "You're passing this and putting people's lives at risk." To think our motivation is to put people's lives at risk, you've got to be out of your mind. Who would do that? Anyone on this side do that?

**Interjections:** No.

**Hon Mr Stockwell:** Do you think for a moment I'd say, "What I want is legislation so inspectors don't go to real incidents, don't go to real health and safety incidents and don't inspect. I don't want to protect anybody because it's better if they die"? What idiot would say that? What idiot would agree with that? What opposition or government member would say, "Oh, sure, that's the

motivation behind this bill. We want to create a situation where no inspectors go out and inspect and people's lives are at risk." Of course it's absurd.

And then they get mad. If it's 4,000 feet underground and there's a health and safety issue, I believe in the professionalism of the civil service. I believe in the professionalism, the wisdom, the intelligence of those people that we hire to do those inspections.

*Interjections.*

**The Acting Speaker:** I won't have this talking back and forth.

**Hon Mr Stockwell:** I believe in the professionalism of the civil service. There's no civil servant that I know who would get a call from 4,000 feet beneath the surface in a mine and hear about a health and safety issue who would say, "Fax it to me." You've got to be out of your mind. They won't do it. They'll go. They'll go because they're professionals, because they are understanding of the laws, because they are compelled to go. But surely to goodness you've got enough faith in these people that when they get a call from somebody and that person says to them, "This guy isn't qualified to be my boss," they've got to have enough brains in their head to know, "Maybe I don't need to go out to that one." For heaven's sake, these aren't dumb people. These are bright people, well paid, intelligent. I believe in them. I think they're smart enough.

**Ms Martel:** What are they telling you?

**Hon Mr Stockwell:** I've got two of them telling me that. When we sent it through this committee of the Ministry of Labour, they agreed. Now I can't speak for them all. Yes, maybe there are two that don't agree. I don't know. Maybe there are 10, but the majority agreed. It went through the Ministry of Labour, it came up from the bottom and they endorsed it, for heaven's sake. They said yes. It doesn't make sense to spend hours going to talk to somebody because they don't like their boss when someone may be dying in this province. And you accuse us of wanting them to die. It's shameful. So yes, I'm frustrated; yes, I was pedantic; yes, I was being sarcastic; yes, I'd like to debate decent legislation; no, I don't want to time-allocate, but for God's sake, folks, let's debate something meaningful. This isn't meaningful. This is giving the professional civil servants what they requested: the right to inspect meaningful health and safety issues, not whether this guy should be my boss or shouldn't, or not go back out to a site they were at two hours ago, for heaven's sake.

If you want to make political hay with that and you want to get Sid Ryan out there, and Wayne Samuelson and Leah Casselman, and you want to chant your slogans and claim that I want people to die and do all that stuff and stop working unionized workplaces in the province, go ahead, do it, because I know that another workplace will be inspected—how many, I don't know; dozens, maybe 100—because I passed this legislation, because we passed this legislation. If you want to play politics with it and you want to line up with the unions and make wild-eyed accusations and accuse us of putting people's

lives in the way—Why? Because we get some kind of sick high over it—go ahead. I'm out.

This is good legislation. It makes sense. If you vote against it, you're voting against the civil service, you're voting against health and safety, you're voting against safe workplaces and you're telling me that politics is more important than saving people's lives.

**The Acting Speaker:** Heaven forbid that we would play politics.

**Mr James J. Bradley (St Catharines):** Thank you very much, Mr Speaker. I was just reading, courtesy of you—you were kind enough to provide me with a copy of the visitor's guide to the Stratford Festival of Canada, which is in your riding. I was looking for the Minister of Labour in here to see whether he was in one of the plays, after the performance we just saw. I do want to say that it can be recommended that people visit your constituency and an adjacent constituency: mine. That was a performance and a half by the Minister of Labour, but he should know that Marshall McLuhan once said that television is a cool medium and that a hot performance like that doesn't always appear as it might.

Be that as it may, as the lawyers say, and I'm certainly not a lawyer, I would like to deal with this particular piece of government work today—it's not legislation—because I'm voting this afternoon against a time allocation motion. How many is it, I ask my House leader now?

*Interjection.*

**Mr Bradley:** Twenty-five time allocations he says this government has imposed, meaning that chokes off the debate, that ends the debate on an important piece of legislation.

Let me tell members of the House and the public why it is I'm always reluctant to be in any way supportive of these so-called red tape bills. Until recently, until the Walkerton commission was in effect, we didn't know the power of the Red Tape Commission. I would suspect, if we were to ask virtually any minister of this government what he or she thinks of the Red Tape Commission, that there may be words that are not found in the English dictionary to describe that. I don't think it would be popular. You see, these are ministers who have been selected by the Premier of this province to be in the cabinet, to have special responsibilities, and indeed they have special obligations as well. To have an outside group, the Red Tape Commission—for instance, we've just had an opportunity to view the Minister of Labour in action. I wonder how the Minister of Labour would feel about the Red Tape Commission co-chairs—being Steve Gilchrist, the member for Scarborough East; Frank Sheehan, former member for Erie-Lincoln, now a private citizen; and a number of parliamentary assistants—vetting all legislation going into those ministries and suggesting how they should cut in those ministries and in effect trying to do the minister's job and the job of the cabinet.

I don't agree with that style. I say the blame must lie in the lap of the Premier on that, because he set up the structure. Putting aside who is in those particular

positions, I don't think it's appropriate that a Red Tape Commission of this kind, a group of this kind, has so much authority, so much power within this government. I want to share with members of the House a letter to the Canadian Institute for Environmental Law and Policy. This is the assistant information and privacy commissioner providing evidence of the importance of the Red Tape Commission. Remember, it's the Red Tape Commission that recommends the legislation which comes here in the form of a red tape bill.

1650

"According to Cabinet Office, the RTC is inextricably connected to the cabinet decision-making process. Ministries are asked to appear before the RTC to discuss their policy proposals or draft legislation before they appear before cabinet or its committees. Cabinet may also recommend that a ministry take its proposal before the RTC for review and comment. The RTC reviews policy proposals, draft legislation, cabinet submissions, cabinet presentation slides, provides ministries with comments and directly advises cabinet or its committees on the proposals it has reviewed. Cabinet Office points out that since the RTC came into existence, it has served as a screening process for cabinet and its committees on a wide range of policy items. Cabinet Office explains that after the RTC has reviewed an item, the chair will usually write the minister or the chair of the cabinet committee, raise any concerns, and provide advice and recommendations on the item. The chair and members of the RTC are often invited to attend cabinet committee meetings in order to provide advice or make recommendations to the committee on the reviewed items.

"In addition to its representations, Cabinet Office provided an affidavit sworn by the director of the Red Tape Secretariat.... The director's affidavit supports Cabinet Office's position on the role of the RTC. The director explains that the Red Tape Secretariat provides policy and legal advice to the RTC and assists the RTC in carrying out its mandate. The director states that he has personal knowledge of the records at issue in this appeal and their routing through the RTC to the various cabinet committees. He states that he has observed through attendance at cabinet committee meetings that the records setting out the RTC's advice are considered during the deliberations of cabinet and its committees at these meetings."

In addition to this letter that outlines the importance of the Red Tape Commission, we have several examples of the Red Tape Commission providing advice to cabinet. A September 1997 letter from Mr Sheehan to Minister Sterling indicates the Red Tape Commission's displeasure with Sterling's refusal to act on the recommendations of the commission.

Also, I know that Mr Bartolucci gained access to a letter that was written by the chair to Chris Stockwell, the Minister of Labour, following the 1999 election, making recommendations on labour legislation.

What is happening is that we have a very, very extra-cabinet, powerful committee of cabinet. This is what you

expect the Management Board or treasury board of cabinet would deal with; the policies and priorities board of cabinet, which is the executive cabinet, or any one of the cabinet committees. If anybody wonders why we had a situation such as we had in Walkerton, why that was able to happen, it's because of a policy which allows a Red Tape Commission of this kind to insist upon the kind of cuts that I'm sure the ministers of the day did not want to see in those ministries. There were all kinds of memos that went back and forth, letters between ministers, memos to file, statements from, for instance, Dr Richard Schabas, the medical officer of health of Ontario, warning the government of risks that they were taking with the policies they were invoking.

I asked a question to the Deputy Premier the other day, and I provided the following information:

"Sheila Willis, assistant deputy minister, writes to Richard Dicerri, deputy minister, about your cuts, 'Increased environmental risk resulting from our inability to conduct proactive inspections' and 'reduced level of responsiveness resulting in lowering of ministry credibility and damaging of our community relations' and 'reduced ability to investigate and successful prosecution resulting in increased non-compliance and illegal activity.' It says, 'The government is prepared to accept increased risk (legal/environmental/public health) in the short term to achieve the desired levels of reduction.'"

I went on to say that this was most revealing. We all wondered what the purpose of Bill 26 was, the bully bill, as many people called it, this massive bill that amended some 37 or 43 statutes—I heard two different estimations—of this Legislature.

Here's what happened. I said to the minister of the day, "Minister ... there are health and environmental risks associated with changes of this magnitude, and without significant legislative changes, that can only be expedited through an omnibus bill, this scale of downsizing exposes the government to unprecedented legal and public challenge."

How does that fit in with my reluctance to see this bill passed, my reluctance to see this motion passed for ending debate? It falls in this way: it tells me that was the purpose of Bill 26, to hide as many of these regulatory and legislative changes as possible in one big, massive bill that could be shoved through the Legislature in record time, without knowing the consequences for the people of Walkerton or any other community in Ontario. That is why I'm concerned about this motion and about this bill.

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** I'm pleased to participate in this debate in terms of moving this legislation to another stage in the process.

The Minister of Labour I thought spoke eloquently when he spoke about some of the, I think it would be safe to say, exaggeration in this debate; some of the changes he spoke about, like the changes to health and safety, where a section of the legislation was brought in in the

late 1980s and hasn't been used, hasn't even been proclaimed. It was brought in by the previous Liberal government, had never even been proclaimed and then was superseded by stronger WHMIS legislation. It is being repealed by this. It's not a particularly controversial piece of legislation.

There is a range of other supports. Ensuring that we use the resources of our health and safety inspectors to the very best interests of health and safety was another issue which he brought up at great length.

It also points to the need to make decisions, to have debate about substantive issues. I regret the time we spend when we can't come to an agreement on debating the important pieces of legislation. That is obviously unfortunate.

**Mr Richard Patten (Ottawa Centre):** I rise today to participate in this discussion. I must reiterate what has been already pointed out, that we have yet another time allocation. It's been pointed out a number of times that we're spending all this time this afternoon essentially talking about the government's desire to continue to limit debate, to put a certain time frame on things and to get this through in quick order.

I remember I was so upset as a member back in 1997, when the government brought through some changes to the procedures of the House, that I did a little bit of research. Just up to the end of 1999, this government had brought in time allocation 45 times. In relation to the other provinces, we had British Columbia, once; Manitoba, once in the same time period; Alberta, not at all; Saskatchewan, not at all; Ontario, 45 times—this same Harris government.

I can see bringing it in from time to time and I can certainly see bringing in closure sometimes when the opposition becomes irresponsible in the judgment of the government and prolongs debate unduly—I can see that—but this is closure to fulfill the requirements of so many days of having debate. Of course, days are not days; days are two and a half hours. So when somebody explains, "We had this debate for two days," that may have been five hours, because two and half hours covers off a sessional day, and then you can go into an evening period till 9:30, and that may be three hours, and that constitutes two days in one day. So it's possible within two days to get through your legislation at second reading, meaning that you can move into third reading, which is going to happen in this particular case.

1700

I only point that out because this particular piece of legislation, by anyone's definition, I would suggest, really—here's the size of the bill so that people at home can see it. It has 95 different pieces related to it, implications of legislation: the Ministry of the Attorney General; the Ministry of Agriculture, Food and Rural Affairs; the Ministry of Health; the Ministry of Community and Social Services; the Ministry of Consumer and Business Services; the Ministry of Education. I find it somewhat interesting that this act says, "to promote government efficiency," and yet one of the biggest

problems we have today in Ontario is the concern in education, as people will know—and it's certainly in my neck of the woods: school closures, the pressure of the funding formula, the pressure for services for children who have special needs, the pressure on basic pieces of equipment that used to be part of government funding that now parents are out fundraising for.

Never in the history of the province has so much been raised to contribute toward basic things such as pencils and books and writing materials and writing books for children. It's a disgrace; it's an embarrassment. The biggest thing is this government saying they rejigged the funding formula in order to provide more equity and more universal accessibility for all children in Ontario. But that, of course, is based on an assumption that there is an equitable funding formula in place to begin with.

But when there isn't an equitable formula, what happens? Those communities that are wealthier have the means to invest in organizing fundraisers. Those that don't involve the demographics of newer Canadians who perhaps are not as familiar with how we do things in this country in a voluntary organizational sense may not be as active in seeing the responsibility, number one, and then, two, organizing in a fashion to raise money for their children. So the poorer communities, those people on lower incomes, new Canadians—those schools in those areas suffer, and it's a real shame.

So what do we have today? We have a far greater inequality throughout the educational system than we had before, and this particular debate this afternoon continues to not provide the opportunity for all members for a reasonable time frame—it's not an unreasonable time—and to not have hearings. We're offered hearings on bills for parties on all sides of the House to debate where we agree, because the government wants to be able to say statistically, "We've provided so many hours for debate in the House. That was significant." But you have to look at the quality and you have to look at the distinguishing features of the nature of the debate. Of course, anything of substance was limited or time-allocated because the government doesn't really want to hear from people.

My time is up and I'll pass it along to my other colleagues. I'm sorry I couldn't speak longer on this. Had there been an opportunity that this government would have provided, I would have been happy to be more detailed in going through various parts of the bill. I'm sorry to say, given what is presented today, that I am not, and I regret that.

**Mr Wood:** I support this motion. What surprised me about this is that we haven't had much more support from the Liberal Party in terms of getting this bill forward.

**The Acting Speaker:** Order. The Chair recognizes the member for Windsor on a point of order.

**Mr Dwight Duncan (Windsor-St Clair):** My colleague for London always has something important to say, and I would think a quorum ought to be present for that.

**The Acting Speaker:** Would you check to see if a quorum is present.

**Clerk at the Table (Mr Todd Decker):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk at the Table:** A quorum is now present, Speaker.

**The Acting Speaker:** The Chair recognizes the member for London West.

**Mr Wood:** Thank you very much, Mr Speaker. I would have to share with the House my disappointment that particularly our friends in the Liberal Party do not seem to appreciate the importance to creating investment and jobs in Ontario of good regulatory policy. That's really what this bill is about. I understand that our friends in the NDP are married to old ways and rather mired in the past, but I would have thought our friends in the Liberal Party would have come forward and recognized that this is, in my opinion, a completely sound bill but, at the very least, that it's basically a sound bill.

**Mr Crozier:** I think you're confident to think you have any friends in the Liberal Party.

**Mr Wood:** The numbers are diminishing, I don't deny that, both in the party and of my friends in it.

**Mr Bradley:** But I'm still your friend, Bob.

**Mr Wood:** I know, but you're in the minority.

The disappointment I express, however, is I would have thought our friends in the Liberal Party would have recognized the importance to jobs and investment in Ontario of good regulatory policy. This bill does indeed promote good regulatory policy. I would have thought that they would have come forward and said, "We may have some concerns with individual aspects of this bill and we're prepared to put those forward in committee, but by and large we see this bill as creating jobs and creating investment in Ontario, and we'd like to see it go through as quickly as possible."

I think the Liberal Party is very much missing the boat. That was one of the reasons, I think, when they brought in the tax-and-spend policies they did in 1985—and those were continued by Bob Rae in 1990—why we did so poorly in jobs. So I would hope—

**Mr Bradley:** That was decades ago.

**Mr Wood:** Not to the member for St Catharines, for example, who was there the whole time. He thinks it was just yesterday, and perhaps in some senses it was.

My serious point, however, is this: they do not seem to appreciate the importance to jobs and investment in Ontario of this bill. Of course, the bill consists of a large number of provisions, and I'm not going to get into all of them. I may get into a few if time permits. But what I sense the Liberal Party does not understand is that all these details—and there is a large number of details in this bill, as there is in any red tape bill—add up to an important whole. The important whole is that good regulatory practice will strengthen health and safety protections and will create jobs and investment in Ontario.

There are all kinds of other jurisdictions throughout the world that have recognized this—I need only refer to

the United Kingdom, to France, to New York state—that understand the importance to their people of good regulatory policy. I think it would have been very helpful for the Liberal Party at least—and no doubt in due course the New Democrats may catch up to this, but I'll invite the Liberals to do it first—to step up to the plate, acknowledge the importance of red tape reduction and help us win the war against red tape and achieve a great number of new jobs and investments in this province. I would invite the Liberal Party to rethink some of their positions on this and support this motion so the bill can get through the House, can get into law and start creating jobs and investment in Ontario.

I made reference a couple of minutes ago to some of the details, and details, of course, are the essence of any approach to reducing red tape. I'd like to refer to just a few. Let me refer to schedule B, Certified General Accountants Association of Ontario Act, 1983.

Of course this permits certified general accountants to participate in limited liability partnerships. This helps that profession do business more efficiently and helps them get the job done better. Is there any member of this House who doesn't support that?

1710

We can go through them: the Charities Accounting Act—in essence, housekeeping amendments; the Courts of Justice Act—repealing certain clauses in section 88, "regulation-making provisions, relating to the Accountant of the Superior Court of Justice, that have been replaced" by a clause in the Public Guardian and Trustee Act; the Crown Administration of Estates Act; the Evidence Act; the Mental Health Act; the Notaries Act.

To take the Notaries Act as an example, "The act is amended to transfer authority for appointments from the Lieutenant Governor to the Attorney General." Surely that is a very logical change. It truly is making a little more efficient the processes of the government of Ontario. It's going to save money for the taxpayers and, more importantly, is likely to result in better service to members of the public. I would invite any member to stand up and say they don't favour that.

To take a look at some changes to the Family Responsibility and Support Arrears Enforcement Act, 1996, it "is amended to provide that when a support order or support deduction order that has been withdrawn or deemed to have been withdrawn from the director's office is filed there again, the effect is the same for all purposes (including the enforcement of arrears incurred before filing) as when an order is filed for the first time."

A lot of that is legalese and I'm sure not every member of the public and perhaps not every member of the House listened to that when I read it, but that makes it easier to collect money that is owed to parents and children of this province. No doubt it affects a relatively small proportion of the total population, but it's a significant change for the better for the people who are affected.

The Business Corporations Act: "A meeting of shareholders of a corporation may be held by telephonic or

electronic means unless the corporation's articles and by-laws provide otherwise." It makes corporate governance in Ontario simpler. It's one little thing, when added to all the other little things, that is going to say to investors that Ontario is as efficient a jurisdiction as any in the world in which to do business. You may be aware that today it takes perhaps one day to do a simple incorporation in this province. A similar incorporation in France, for example, by the time you go through all the various things you have to go through, takes six weeks, and the French understand that. They know their time period is too long and I think they're going to try to do something about it. Something like that is part of an overall message that we are giving to the investors of the world with a view to attracting them to invest in Ontario.

**The Funeral Directors and Establishments Act:** "Even if a vacancy on the board is not filled, the board may continue to exercise its powers and carry on its duties as long as there is a quorum of the board." Again, legalese, but it makes it easier for that board of directors to do its work and avoids the kinds of problems that chew up the time of administrators and the time of lawyers and money with lawyers.

**Vintners Quality Alliance Act, 1999:** "At present, a government store that is authorized to sell liquor is prohibited from selling liquor produced by a manufacturer if the manufacturer uses terms, descriptions and designations established by the wine authority designated under the act without the authority's approval. The prohibition is extended to cover all persons." This is simply another instance of good regulatory policy.

There are a few more. I want to leave a bit of time for someone else at the end. I would invite the members, particularly those in the Liberal Party, to perhaps get with the program in 2001. Instead of chewing up time with long speeches in the House, why not make suggestions and tell us how to improve regulations in Ontario? If this bill warrants improvement, put amendments forward in committee. The reality is if they do that, that's going to be of much greater service to Ontario than delaying legislation in the House that should get into committee and have the improvements that are needed made, and then go back to the House and start creating jobs in the province of Ontario.

**The Acting Speaker:** Further debate?

**Mr Dominic Agostino (Hamilton East):** I'm pleased, in the limited time that we have left, to join in this debate on what is really a very significant piece of legislation that is in front of us. I guess what is most galling about this is that the government continues to see fit to bring in pieces of legislation that cover a wide variety of areas that are unrelated to each other and to bring in legislation that affects Ontarians without any real consultation, without any real debate, without any real opportunity for Ontarians to be part of this. This bill is a perfect example of that.

**Mr Frank Mazzilli (London-Fanshawe):** No, it isn't.

**Mr Agostino:** I hear the member across mumbling that it isn't. Of course, Bill 57 is a sneaky piece of legis-

lation, a backdoor approach to government in Ontario. And you do it all very quickly. This government thinks it's acceptable to bring in such a significant bill and then decide that they're going to bring in closure after a couple of days of debate. That's what we're discussing here today. The government decided two days of debate on this is all we need. Then we're going to ram it off to committee without any public hearings—not one moment of public hearings on this legislation. Then, to add insult to injury and an affront to democracy and the rights of members, this government, in its order here today, has also, by decree of Mike Harris, decided that there will not be one moment of debate on third reading on this bill in this House, not one second of debate on third reading in the Legislature on this bill.

*Interjection.*

**Mr Agostino:** The member across the floor, Mr Hastings, is getting rattled and mumbling. I wish he would just use it up when he speaks, if they would let him do it, rather than heckling across the floor the whole time.

**Mr John Hastings (Etobicoke North):** On a point of order, Mr Speaker: Since the member for Hamilton West—

**Mr Agostino:** East.

**Mr Hastings:** —East, good, is an authority on parliamentary procedure, you name the member by constituency in here. But we've noticed a slipping—

**The Acting Speaker:** Order. If there are two of us standing at one time, one of us is out of order, and it's not me. The Chair recognizes the member for Hamilton East.

**Mr Agostino:** Thank you, Mr Speaker. Rather than note him, I prefer to just ignore the member. It'll be easier.

**Mr Hastings:** On a point of order, Mr Speaker: I made the point of order that under the rules of parliamentary procedure in this House, you usually note the member by where he or she comes from—

**The Acting Speaker:** That is a point of order, and I ask that the member from Hamilton East abide by that. But I will also ask that there not be frivolous points of order during precious debate time. The Chair recognizes the member for Hamilton East.

**Mr Agostino:** Thank you, Mr Speaker, for your wise ruling on this.

I want to get to the meat of the bill, particularly as it relates to labour issues. This government, this Minister of Labour who likes to go out there and brag about everything he's done and proclaim all the legislation, did not have the courage to bring in this piece of legislation by the front door. What he does is hide it in a big bill that covers many other areas. It has significant impact on working women and men and their health and safety in the province of Ontario and this minister did not see fit, did not have the courage to bring it in directly as a piece of labour legislation rather than trying to sneak it through and ram it through in a bill that covers tons of other areas. That is disgraceful of this Minister of Labour and this government.

This bill impacts the right of working people in Ontario to refuse unsafe work sites and unsafe work conditions. Frankly, this piece of legislation is going to lead to more injuries and more deaths in the workplace.

1720

Today the member for Niagara Centre used statistics to refer to the fact that in 1999, 200 people were killed on the job, and that that number rose to 243 in the year 2000. The Minister of Labour referred to it as a silly statistic. That is the seriousness that the Minister of Labour takes when it comes to workplace health and safety in Ontario.

What this legislation does is say an inspector can now make an assessment over the phone. So with a simple phone call, an inspector can make an assessment as to whether there's an unsafe work condition. Is that's all it's going to take, a phone call, and say, "Well, we think the place is safe. Go back to work"? What if it's a bad judgment call? What if it's a mistake? What if the inspector misses something in the phone call and this individual goes back to work? What if there's an injury or, worse, a death to that worker on that site as a result of this oversight by the inspector? Is the minister going to stand here and acknowledge and take responsibility for that death or that injury because one of his inspectors was not given the tools to properly do the job here?

The inspectors have written to the minister and opposed this, the very people that you would think the minister would at least have consulted and talked to before he brought this in. This is bad, this is wrong, and this is going to lead to more workplace injuries and possibly more workplace deaths.

I don't understand why, for the sake of saving a few dollars—and this is what this is all about. This bill is not about improving workplace health and safety or efficiency. This piece of legislation is about having fewer inspectors on the job, possibly moving to privatize these inspectors. But think about it. Think if you were a worker, particularly in a smaller plant, a non-unionized plant, and you call because you believe that your workplace is unsafe or it's a hazardous job that you've been asked to do, and the inspector then, with a phone call, says, "No, go back to work." You feel intimidated. You don't have a choice, you don't have protection, and you go back to that workplace. Would you expose one of your family members to that? Would any of us in here expose one of our family members to that potential risk? We would not. Why are we doing it to Ontarians for the sake of saving a few dollars?

The minister uses one example that he believes is a phony one, but fails to mention the many, many others that are real, the many other examples where someone on a work site legitimately files a complaint, refuses to work because it's unsafe, and that concern is justified and is upheld by the inspector. Why doesn't the minister refer to that?

We all have a responsibility to help prevent workplace injuries and deaths. It is not simply an issue of saying, "Well, everyone benefits. All Ontarians benefit." Let's

talk in government terms, because the government understands money and economics. It is in the interest of business. That's the language you like to hear. But to prevent workplace injuries and deaths is in the interests of your business friends. If you don't care about the workers, understand that it's also in the interests of your business friends to reduce time lost at work, to reduce claims for injured workers, to reduce deaths in the workplace. There were 243 deaths last year. Maybe the minister can face those families who have lost mothers, fathers, daughters, husbands, wives, grandparents, look them in the face and refer to them simply as silly statistics, as he did this afternoon in this Legislature.

This move by the government is going to contribute to that even further. Why would the government do this? Why would the government risk further the health of Ontarians in the workplace in order to do with a few less inspectors? It doesn't make any sense at all. It doesn't make any sense, except it is part of an ongoing attack that this government has launched on working men and women since they took office six years ago. It has launched the greatest assault and the greatest threat to working people of any government in the history of Ontario. It has undone labour legislation that has been brought in by previous governments in the last 50 years of all three political stripes. It has dismantled the health and safety protection that was there for workers. It is simply interested in carrying out its big business agenda at the expense of working people in Ontario. This bill is another example of that.

Another section of the bill: right now the legislation says that employers must keep an inventory of hazardous substances in the workplace. They must provide public access to this inventory. Bill 57 repeals this. This means that workers and public health and fire and safety officials will be denied access and information on hazardous materials. Think about the risk you're exposing there if there's an accident, if there's a fire in a workplace or on a site. We saw the tragedy in Hamilton with Plastimet and what it did to a community there. No one had a clue what was inside that place. Now we're going to say to firefighters, to police officers who respond to these emergencies, "You're not going to have access to any information to tell you what you're fighting, what's in there." To communities—decisions have to be made in case of accidents, in case of fires in plants, often an evacuation of neighbourhoods. If this information is readily available, those decisions can be made very quickly and often can make a difference in the results.

But the government doesn't think it's important enough. We're going to say to firefighters and police officers now, "You go out there. You respond to this. Maybe you'll know what you're fighting, maybe you'll know the chemicals and hazardous materials that are in there and maybe you won't. Maybe we'll find out three months later it was real bad for you and it was real bad for the neighbourhood." But it's a little late at that point. That's another, I believe, very significant change that was snuck through with this piece of legislation.

If the government was so proud of these changes, if they felt it was in the best interest of Ontarians to remove the ability of workers to refuse work and then have an inspector see the problem, if they felt it was in the best interest of Ontarians, why did they not bring in this piece of legislation as a stand-alone piece? Why didn't they send it out to committee? Why didn't they give the public a chance to talk about it?

This is insulting. This legislation is an attack on and an affront to working people in this province. It's ordinary working folks who have to deal with this. It's not their corporate friends on Bay Street; it's the average person who's got to go to work in the morning and wants to come home in one piece to his or her family at the end of the day. This government doesn't take it seriously enough. This government doesn't believe that they have the right to refuse unsafe work and have the right to have an inspector come and look at that work condition and make a determination.

Very few of the work stoppages have been frivolous. Statistics show a very, very small percentage. The vast majority are real and are serious. And inspectors back up the workers in their refusal to do that work. And now the government says, "You phone up an inspector on the phone, we'll assess the case and order you back to work," if he or she believes it's fine without seeing the problem, without seeing the conditions.

This is going to hurt people in Ontario. I tell you—and I hate to come back to this—you were warned about Walkerton. This government was warned about Walkerton, and we had tragedies and deaths. You have been warned about this piece of legislation from opposition, from working people, from labour, and unfortunately the same thing may happen again—

**The Acting Speaker:** The member's time has expired.

**Mr Gilles Bisson (Timmins-James Bay):** I want to just say, first up on this debate, I am extremely, extremely disappointed in the tone of the debate that has taken place by the Minister of Labour and some of the comments that he made, because I was listening carefully. He was trying to make it out to be that workers who refuse unsafe work by and large at times do so frivolously and shut down entire plants for hours at a time, costing industry millions and millions of dollars. I just want to say, as a former worker in the mining industry, an industry—I know the Minister of Northern Development and Mines knows well—that has inherent dangers in it, workers took their responsibilities seriously.

I was a member of the health and safety committee under Local 4440 of the Steelworkers. For the eight years that I was there, I presided over a number of inspections by the Ministry of Labour. I presided over a number of issues having to do with workplace stoppages because of unsafe conditions. And at no time in that eight years was there ever one case within our local and within the sister locals of our area, which represented close to about 6,000 workers at the time, where a workplace was shut down because of frivolous reasons.

1730

I take exception to the comment that the minister makes because what he's trying to say is that we as workers aren't smart enough, somehow or other, to make a determination about what's safe and unsafe. If anybody can determine what's unsafe in a workplace, it's a worker, and that's the reason that Elie Martel, under the NDP in the 1970s, in opposition to the Tories, lobbied along with the Steelworkers of Elliot Lake for creation of the Occupational Health and Safety Act. The argument was made then that if you give the workers the right to refuse, they will not be frivolous, that they will take the responsibility seriously and save lives in the workplace. That's exactly what happened.

I don't know of any cases in Elliot Lake, where I had to do some servicing when I was on staff at the Steelworkers, and I don't know of any cases in Sudbury in talking to my friend Jimmy Kmit and others where people refused work and the workplace was shut down frivolously. There might have been cases that didn't result in shutdown, but I don't know of any situation where they shut down a workplace over a frivolous refusal to work.

I worked in the mining industry. The McIntyre was one of the places where I worked. It's no longer in operation. I worked at 12 shaft, 11 shaft, 6 shaft. I want to give you two examples. In one case there was a routine inspection by me and the Ministry of Labour inspector—I believe it was Ross Conoley at the time—where we did an inspection at 12 shaft.

We went there just on a routine inspection. Nobody had called anybody in. It was one of those inspections where the ministry comes in and says, "I want the health and safety rep, I'm going for a walk." As we walked into the mine operation, we went to take a look at the hoist room of 12 shaft on the 3,700-foot level, inspected the hoist, found everything to be in service, found everything to be safe, and for whatever reason—we never used to do this—we decided to come down the manway from 37 down to 38 to the collar. As we went down, we noticed that the dogs on the cage were inoperable.

For people who don't understand mining terminology, a cage is the elevator that brings you up and down a shaft. That particular shaft descended to the 7,000-foot level, so that's one heck of a drop. That's higher than the CN Tower. What happens is that as it goes down by way of the cable, there's a safety system in the guides of the cage so that, should the cable break, there's a special mechanism that allows the dogs, which are basically a braking system, to dig into the guides to stop the cage from falling to the bottom of the shaft.

In other words, if the dogs don't work and the cable breaks, that thing is going to the bottom and there's no stopping it. On top of that, when we looked at that cage, it was not only that the dogs weren't working, but the bearings that basically contain the shaft that holds the cable to the cage were busted at both ends. There was play up to half an inch on both bearings.

The inspector was almost livid when he saw it, because obviously somebody had been missing this for a long time. As a result he shut down that shaft, ordered that the mine evacuate the underground immediately and that nobody return into that shaft until that situation was fixed, and in many cases ordered the workers to climb up the manway because he felt, as I did, that it was an unsafe condition where an accident was waiting to happen.

Here we had a potential situation where there could have been loss of life that was caught on a regular inspection. You'll say, "Obviously that wasn't frivolous." I just want to tell you what happened after, on an inspection that wasn't even done by me. It wasn't something I called. It was the Ministry of Labour that came in. I happened to be the health and safety rep. I was harassed for a period of weeks by my employer and threatened with being fired for only having followed the Ministry of Labour inspector and having found this.

They asserted it was me who pointed it out. In fact, it wasn't. If I had known, I would have pointed it out, but I didn't know because I wasn't a mechanic; I'm an electrician by trade. The employer put a huge amount of pressure on me to try to get me to back off, as they thought my stance was too militant when it came to the protection of the workers, when it came to health and safety.

My point is this: I'm a pretty strong individual. I know my rights and as a union steward and as a health and safety representative and as chief steward and vice-president of the local, I wasn't an easy push-around. But I'll tell you, I felt that intimidation. I'm just saying that 90% of the guys, 95% of the guys, put under that intimidation, would have buckled under.

So I'm saying to the Minister of Labour across the way, shame on you, first of all, for saying that workers are going to do this frivolously, but also shame on you for not recognizing that there is politics involved in the workplace when it comes to the refusal of work, and employers do intimidate workers. It happened to me, and in that case we could have killed a whole bunch of men. I remember having a discussion, and I'm not going to use the name, because it would be unfair, with one of the people responsible in the company who was really pressuring me. I said to that individual, "How would you feel if you got a phone call at night and you found out that your spouse died because of an unsafe condition at work that management knew about, did nothing about and tried to harass the health and safety rep, the one who pointed it out?" Still they tried to pressure me.

So don't come into this House and accuse workers of being frivolous, because most workers are afraid to exercise their rights, because they understand there is plenty of opportunity for the employer to get back at them and to harass them and to intimidate them into not reporting unsafe conditions. So that's the first example.

The second example I want to give you is one that happened at Sick Shaft. Sick Shaft, as those of you who worked in mining would appreciate, was an extremely wet, extremely cold and badly ventilated workplace. I happened to get called out in the middle of the night as

an electrician to go work on I think an electric jumbo or scoop that was on that level, I think on the 1,700-foot level. As I walked underground and got off the cage, I could not see the door as I came out of the cage. That means literally this far. There was so much smoke, I couldn't get off the cage safely without wondering if I was going to fall down the shaft that went down to 2,800 feet. So I managed to basically flash the cage and bring it back up to the surface.

I called first of all the supervisor, who wanted to do nothing about it; second of all the mine captain, who said, "You're just complaining again, Bisson." He tried to put the intimidation factor on me again. I got on the phone and I called the Ministry of Labour inspector. That particular Ministry of Labour inspector didn't want to come out because it was the middle of the night. He said, "Can't we wait till tomorrow?" I said, "No, we can't wait till tomorrow. We've got about five or six guys on that level. There's an unsafe condition. I understand there's a problem with the door that's covering the ore path. If somebody goes walking by that ore path and that door is open, somebody's going to fall down that hole and kill themselves." So I said, "I want you to come in here and I want you to come now." The inspector was being somewhat weak-kneed about the idea of coming into the workplace, and I had to exercise my rights under the act and I said, "The law says I have the right to call you. You either come or I'm going to call Elie Martel in Sudbury and I'll get him to rattle your chain." He came, because Elie was a pretty formidable guy to deal with when it came to these issues.

As it turns out, the Ministry of Labour inspector came to the workplace. When the two of us went down to that level, he was beside himself. He couldn't believe how bad it was. His argument when I talked to him? I was being frivolous. So don't talk to me about frivolous. Under this act that you want to pass now, he would have had the right to say, "It's a frivolous thing. Bisson's one of those guys who likes to call the inspector. I don't need to go out." I don't know what would have happened that night. Maybe nobody would have fallen down that ore path, but maybe somebody would have.

I'm saying to the Minister of Labour, shame on you as the Minister of Labour for coming in here and saying that somehow workers are going to be frivolous in their use of the Occupational Health and Safety Act, because that has not been the case. The case is that workers have been quite good about how they take their responsibility. We've managed over the years, through the union movement and the Steelworkers particularly, in the mining industry to change the attitude of mining. We've made it a safer place to work and, consequently, we're saving lives. The mines paternity has started to change the way it does things because of this act and because of assessments of workers' compensation. Now you're coming in and you're saying, "We're going to roll the clock back"? I'm sorry, I don't want to go there. I've worked in those workplaces. I know what it's like.

So I make two challenges. First of all to the Minister of Labour: if you feel so strongly about this act and you think you're on such high ground, then have public hearings. I want you to come to Timmins and I want you to go to Sudbury and I want you to go to industrial centres across this province, look in the eye of workers across the table, tell them they're being frivolous and listen to what they have to say.

The second challenge I issue is simply this: I want the minister to go work in a workplace in Ontario where workers have to use the Occupational Health and Safety Act and see how we feel. I know what it felt like as a worker. You were under a great amount of pressure and intimidation if you tried to report unsafe conditions. I know with certainty because of my experience that if we had an Occupational Health and Safety Act as proposed today back in the 1980s, when I reported that smoky condition on the 1,700-foot level of the McIntyre, he would not have come out because he would have been able to say it's frivolous. That's what he was telling me at the time: "Oh, Gilles, can't we wait till tomorrow? This can't be that serious. Oh, Gilles, you're just making this up. Oh, Gilles, it can't be as bad as you say," until I forced him out by way of the act. There's a reason we wrote the act the way it is, and the reason is to protect lives.

I say to the minister across the way, you've got it completely wrong. You're completely out of touch. You have never worked in a workplace, certainly an industrial workplace, in any kind of substantial way, because if you had, you would not have brought this bill forward.

1740

**Mr David Christopherson (Hamilton West):** I thank my colleagues for leaving me a few minutes to comment on this bill. I want to add my voice and my support to the arguments that have been made here regarding some of the key elements of Bill 57. But you know what? A lot of the issues that are in this bill have yet to be on this floor and analyzed in the way they should, given the importance to people's health and safety and their very lives, and that needs to be emphasized.

I would suggest that probably one of the issues that has people who are active in workplace health and safety most incensed is subsection 47(7), where you're allowing inspectors to conduct an inspection over the phone.

I happened to be in the House—I think I was in the chair at the time and I remember that held me back from my usual heckling at moments when Minister Stockwell says things that upset me. I remember distinctly that he said, in response to accusations of concern from the NDP caucus, that the problem was that we didn't have enough faith in the professionalism of the inspectors. He said, and I'm paraphrasing, "If you had faith in the professionalism of these inspectors, you wouldn't be as worried as you are about what may or may not happen as a result of inspections taking place over the phone."

I can recall that somebody produced a letter, and I want to ensure that that is read into the record again, at least in part, because in response to that, those very pro-

fessionals have sent a letter to the minister—prior to him making that argument, by the way—saying the following:

"We have grave concern about the proposed changes to section 43(7) of OHSA"—the Occupational Health and Safety Act—"which will now allow an inspector to investigate a work refusal without having to be present at the workplace to examine the actual work situation. As health and safety professionals, we find this an absolutely unacceptable approach that perverts the basic tenets of good investigative practice and sound health and safety and industrial hygiene principles. Such an approach will inevitably result in the tragic consequences that the lack of regulatory vigilance led to in the town of Walkerton."

So much for the minister's argument that we didn't have faith in the professionalism of the inspectors. I say to the Minister of Labour that if he really respects the professionalism of those inspectors, he'll give them an opportunity to come in and personally make their arguments and at the very least acknowledge that they've made those arguments and acknowledge that he will consider them. But that's not going to happen, because under the current time allocation motion there's not even going to be a third reading debate, let alone anything happening at committee. It's outrageous.

In the last minute I have, I want to join with my colleague from Hamilton East in talking about section 34, which requires the employer to notify the director of any new chemicals and substances in the workplace, and section 36, which allows the public as well as union representatives an opportunity to examine those records.

Yes, we used Plastimet as an example. We came so close to hundreds of people dying, and this government wouldn't even hold a public inquiry.

*Interjection.*

**Mr Christopherson:** It's true, you wouldn't hold a public inquiry. You sure would have if it had happened in your riding, I'll bet, and it had received worldwide attention, as it did. Now you're going to say that citizens, the public, do not have the right to inspect records that show what chemicals are in that plant and allow the workers an opportunity to find out what new substances are being introduced. They had that right. It's not like we're asking for something new—they had it. Your Bill 57 takes that away. You will have to be responsible to the people who are—

**The Acting Speaker:** The member's time has expired. Further debate?

**Mr Doug Galt (Northumberland):** I just wanted to use this minute or so to compliment the Minister of Labour on his speech earlier when he was commenting on the red tape bill. He was referring to some of the frivolous calls that the Ministry of Labour receives—and this bill will do something about it—tying up inspectors, inspectors going out because somebody said their boss was not qualified. I can understand why some people might think their boss isn't qualified. I look over at the NDP, I look over at the Liberal Party and I can see them getting quite concerned. But that is not something that an

inspector has to go out immediately for, and the Minister of Labour pointed that out extremely well.

The members of the NDP seem to think it's so important to have the statistics—the number of inspections, the number of this, the number of that—when in fact already pointed out today has been the significant increase in the number of inspections, the significant increase in the number of charges. So I think it goes without saying that things are going in the right direction. Let's get rid of some of this frivolous stuff that's going on that some people might refer to as red tape. It's most unfortunate that inspectors' time is wasted on these kinds of things when in fact they could be out protecting people's lives.

**The Acting Speaker:** Mr Newman has moved government notice of motion number 39. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1748 to 1758.*

**The Acting Speaker:** All in favour will please rise one at a time and be recognized by the Clerk.

#### Ayes

Amott, Ted  
Baird, John R.  
Barrett, Toby  
Beaubien, Marcel  
Chudleigh, Ted  
Clark, Brad

Guzzo, Garry J.  
Hardeman, Ernie  
Hodgson, Chris  
Hudak, Tim  
Jackson, Cameron  
Johns, Helen

Newman, Dan  
O'Toole, John  
Ouellette, Jerry J.  
Runciman, Robert W.  
Sampson, Rob  
Snobelen, John

Coburn, Brian  
Cunningham, Dianne  
DeFaria, Carl  
Dunlop, Garfield  
Ecker, Janet  
Elliott, Brenda  
Flaherty, Jim  
Galt, Doug  
Gilchrist, Steve  
Gill, Raminder

Kells, Morley  
Marland, Margaret  
Martiniuk, Gerry  
Maves, Bart  
Mazzilli, Frank  
Miller, Norm  
Molinari, Tina R.  
Munro, Julia  
Mushinski, Marilyn

Spina, Joseph  
Stewart, R. Gary  
Stockwell, Chris  
Tsubouchi, David H.  
Turnbull, David  
Wettlaufer, Wayne  
Wilson, Jim  
Wood, Bob  
Young, David

**The Acting Speaker:** All those opposed will please rise and be recognized by the Clerk.

#### Nays

Agostino, Dominic  
Bisson, Gilles  
Boyer, Claudette  
Bradley, James J.  
Bryant, Michael  
Caplan, David  
Christopherson, David  
Churley, Marilyn  
Colle, Mike  
Conway, Sean G.

Crozier, Bruce  
Curling, Alvin  
Duncan, Dwight  
Gerretsen, John  
Hoy, Pat  
Kennedy, Gerard  
Kormos, Peter  
Kwinter, Monte  
Lalonde, Jean-Marc  
Lankin, Frances

Levac, David  
Marchese, Rosario  
Martel, Shelley  
McGuinty, Dalton  
Patten, Richard  
Phillips, Gerry  
Pupatello, Sandra  
Ramsay, David  
Ruprecht, Tony  
Smitherman, George

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 46; the nays are 30.

**The Acting Speaker:** I declare the motion carried.

It being past 6 o'clock, this House stands adjourned until 6:45.

*The House adjourned at 1800.*

*Evening meeting reported in volume B.*

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Lyn McLeod, Tina R. Molinari  
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Vice-Chair / Vice-Président: Vacant  
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Caroline Di Cocco, Jean-Marc Lalonde,  
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Règlements et des projets de loi d'internet privé**

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Gilles Bisson, Claudette Boyer, Garfield Dunlop,  
Raminder Gill, Pat Hoy, Morley Kells, Frances Lankin,  
Ted McMeekin, Bill Murdoch, Wayne Wettlaufer  
Clerk / Greffier: Douglas Arnott

# CONTENTS

Wednesday 20 June 2001

## MEMBERS' STATEMENTS

<b>Education funding</b>	
Mr Phillips .....	1693
<b>Ontario Educational Leadership Camp</b>	
Mr Dunlop .....	1693
<b>Small business</b>	
Mr Parsons .....	1693
<b>Multicultural events</b>	
Mr Wettlaufer .....	1694
<b>Mental health services</b>	
Mrs Bountrogianni .....	1694
<b>Long-term care</b>	
Ms Lankin .....	1694
<b>Conestogo dam</b>	
Mr Arnott .....	1695
<b>Ontario drug benefit program</b>	
Mr Gravelle .....	1695
<b>Events in Northumberland county</b>	
Mr Galt .....	1695

## REPORTS BY COMMITTEES

<b>Standing committee on government agencies</b>	
The Speaker .....	1696
Report adopted .....	1696
<b>Standing committee on justice and social policy</b>	
Mr Barrett .....	1696
Report adopted .....	1696
<b>Standing committee on regulations and private bills</b>	
Mr Dunlop .....	1696
Report adopted .....	1696

## FIRST READINGS

<b>Keele Valley Closure Act, 2001,</b>	
Bill 84, <i>Mr McGuinty</i>	
Agreed to .....	1696
Mr McGuinty .....	1696
<b>Patient Restraints Minimization Act, 2001,</b>	
Bill 85, <i>Ms Lankin</i>	
Agreed to .....	1697
Ms Lankin .....	1697

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>Government accountability</b>	
Mr Tsubouchi .....	1697
Mr Crozier .....	1698
Mr Gerretsen .....	1698
Mr Kormos .....	1698

## ORAL QUESTIONS

<b>Education funding</b>	
Mr McGuinty .....	1702
Mr Harris .....	1702
<b>Community care access centres</b>	
Mr McGuinty .....	1703
Mr Clement .....	1703, 1705
Ms Lankin .....	1705
<b>Occupational health and safety</b>	
Mr Kormos .....	1704
Mr Stockwell .....	1704
<b>Ontario drug benefit program</b>	
Mr McGuinty .....	1706
Mr Harris .....	1706
<b>Landfill</b>	
Mrs Molinari .....	1706
Mrs Witmer .....	1707
Mr McGuinty .....	1707
<b>Labour protest</b>	
Mr Galt .....	1707
Mr Stockwell .....	1707
<b>Air quality</b>	
Ms Churley .....	1708
Mr Harris .....	1708
Mr Wilson .....	1708
<b>Red Tape Commission</b>	
Mr Conway .....	1709, 1710
Mr Runciman .....	1709, 1710
<b>Senior citizens</b>	
Mrs Munro .....	1709
Mr Jackson .....	1709
<b>Living Legacy Day</b>	
Mr Mazzilli .....	1711
Mr Snobelen .....	1711

## PETITIONS

<b>Home care</b>	
Mr Bartolucci .....	1711
Mr Ramsay .....	1712
Ms Martel .....	1714
<b>Education tax credit</b>	
Mr Kormos .....	1711
Mr Spina .....	1711
Ms Mushinski .....	1712
Ms Martel .....	1713
Mr Wettlaufer .....	1713
<b>Nurses</b>	
Mrs McLeod .....	1712
<b>Northern health travel grant</b>	
Ms Martel .....	1712
<b>Air quality</b>	
Mr Bradley .....	1713

## GOVERNMENT MOTIONS

<b>Time allocation, government notice of motion number 39, <i>Mrs Ecker</i></b>	
Mr Colle .....	1715
Ms Martel .....	1716
Mr Stockwell .....	1719
Mr Bradley .....	1723
Mr Baird .....	1724
Mr Patten .....	1725
Mr Wood .....	1725
Mr Agostino .....	1727
Mr Bisson .....	1729
Mr Christopherson .....	1731
Mr Galt .....	1731
Agreed to .....	1732

## OTHER BUSINESS

<b>Visitors</b>	
Ms Mushinski .....	1695
Mr Barrett .....	1699
Mr Wilson .....	1705
<b>Speaker's ruling</b>	
The Speaker .....	1696
<b>Freedom of information</b>	
Mr Kormos .....	1699
Mrs McLeod .....	1701
Mrs Ecker .....	1701
The Speaker .....	1701

## TABLE DES MATIÈRES

Mercredi 20 juin 2001

## PREMIÈRE LECTURE

<b>Loi de 2001 sur la fermeture de Keele Valley, projet de loi 84, <i>M. McGuinty</i></b>	
Adoptée .....	1696
<b>Loi de 2001 sur la réduction au minimum de l'utilisation de la contention sur les malades, projet de loi 85, <i>M<sup>me</sup> Lankin</i></b>	
Adoptée .....	1697

## DÉCLARATIONS

<b>MINISTÉRIELLES ET RÉPONSES</b>	
<b>Responsabilisation du gouvernement</b>	
M. Bisson .....	1699

2 277  
1  
22



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**Assemblée législative  
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Deuxième session, 37<sup>e</sup> législature

**Official Report  
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(Hansard)**

**Journal  
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**Wednesday 20 June 2001**

**Mercredi 20 juin 2001**



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 20 June 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 20 juin 2001

*The House met at 1845.*

### ORDERS OF THE DAY

#### MPP COMPENSATION REFORM ACT (ARM'S LENGTH PROCESS), 2001 LOI DE 2001 PORTANT RÉFORME DE LA RÉTRIBUTION DES DÉPUTÉS (PROCESSUS SANS LIEN DE DÉPENDANCE)

Resuming the debate adjourned on June 19, 2001, on the motion for second reading of Bill 82, An Act to amend the Legislative Assembly Act to provide an arm's length process to determine members' compensation / *Projet de loi 82, Loi modifiant la Loi sur l'Assemblée législative pour établir un processus sans lien de dépendance permettant de fixer la rétribution des députés.*

**The Acting Speaker (Mr David Christopherson):** The floor is open for further debate.

**Mr Rosario Marchese (Trinity-Spadina):** We're discussing tonight MPP compensation, Bill 82. I've got to say to the good citizens of Ontario that this is obviously not an easy debate, not a very clear debate. Quite clearly, you have heard many speakers on this topic—not as many as you probably would have liked, but you have heard enough diversity on this issue, maybe—and you get a clear sense that people have different opinions on this, and for good reason, because while we agree on many things, we all feel differently and we think differently. God bless that that is the case. Imagine if we had homogeneity of thought, if we were all singing the same song in this place. We don't all sing the same song. In fact, most people don't know how to sing.

You can't have a harmonized point of view. It cannot be generalized enough that we all think and speak the same way. Imagine how difficult and boring it would be if you had 103 people speaking the same language, not being able to speak a second language, saying the same things on the issues. My God, you would tune off. You would say, "Turn off the television. They have nothing new to say." That's the blessing of life, that we have so much intellectual diversity on most issues that it makes it fun for you, good citizens who are watching us, watching this political forum. It's 10 to 7 and it's Wednesday night.

**Mr Gilles Bisson (Timmins-James Bay):** Live from Queen's Park.

**Mr Marchese:** And we are live at Queen's Park.

The issue of salaries, the issue of capitalism, the issue of how we share in the economy—all these are questions that sometimes get debated in this place and sometimes do not. A majority of you, I know, good citizens and taxpayers, say that we should all be sharing in the wealth, especially when the economy's good. But I know many of you are not sharing in that wealth.

**Mr Wayne Wettlaufer (Kitchener Centre):** We agree: everybody should be rich.

**Mr Marchese:** Wettlaufer agrees that everybody should be rich. I say to you, Wettlaufer, that if you agree that everybody should be rich, not everyone is sharing in the wealth of this economy, and you know that. You know that a whole lot of people in this economy have done very, very poorly in the last six years, and yet we've seen billions and billions of dollars come into the provincial economy, billions and billions of dollars come into the federal economy. It's mostly due to the cuts that both levels of government are making, but in your case, we have so much money that we give it away for tax cuts to individuals who don't really need it, and we give it away to the corporate sector—yes, that rapacious group, very much closely connected to your skin and your body, very much so. That's where my money and the money of most taxpayers is going: it's going back to people who don't need the money, really. They're not sharing in the wealth, so a whole lot of people are quite concerned about debates around salaries, quite clearly.

I don't know about welfare recipients and whether or not they watch this parliamentary channel, but if they were watching it, I'm sure that they wouldn't like the discussion on this issue. I suspect they wouldn't. And why wouldn't they? Because they saw a 22% cut under your government. They wouldn't be happy to have this discussion of salaries being talked about, or not talked about very much, tonight.

People who earn barely \$6.85 on minimum wage wouldn't be happy to listen to this debate tonight, because we have frozen those wages to those who've earned that minimum wage of \$6.85 for years. John, why would you do that? If Wettlaufer says we should all be rich, why is it that some people are very well off and a whole lot of people are not? We talk about those who are at the very low end of the economic ladder. John Snobelen, you're not at the bottom of that ladder; you're at the top. Some of you come rich and/or richer than some others.

1850

When I look at all of the various needs of society, I say, we're not sharing in that wealth. And do I not, as a

social democrat, believe in redistributing the wealth that is generated by the work of all who work in this society? Yes, we need to redistribute that wealth, but it's not being redistributed in any way that is equal, or in any way that might make some people say, "I'm getting my fair share too." Why is it that you people can't simply say, "Yes, a whole lot of you have been waiting for a long time and we want to make a contribution as a government, as part of our social responsibility, to help you because we know how tough it is for many of you in society. We know that many of you are making less than \$30,000; in fact 50% of the labour force is making less than \$30,000"?

We know how tough it can be for people. We know there are a lot of people who are waiting for decent and affordable housing: there are over 100,000 people in Ontario waiting for a decent place. We know that. They could all be sharing in the economic wealth that has been generated in the last six years, we argue because of the good American economy that we've had that's helped you and you argue because of your tax cuts. However you argue it, however you come to the conclusion that you've created this great economy, for whatever reason, share the wealth. Give it back to some of those folks who are deserving. No matter who they are, they are deserving. Give some back. We argue as New Democrats that that's what you ought to be doing. That is the role of government.

But we're not redistributing wealth, and does this issue of compensation solve it one way or another? It's not going to solve it; I know that. Whether we keep our salaries at this rate, whether you keep them at this rate or whether they're increased by whatever measure is not going to help one iota the people I've mentioned who desperately your help. I know it's not going to help. I'm not convinced that simply by keeping our salaries where they're at we're going to make it any better. I have no doubt about that. And I know that the Minister of Social Services is not going to care one way or the other whether his salary is at that rate or whether it increases. He's still not going to change the life of that person on welfare.

Good God, John, the Minister of Social Services, stands up every day and says, "We are giving a people a hand up every day. We are here to make sure that those welfare recipients are getting a hand from the government to stand up on their own two feet so they" blah, blah, blah. Good citizens, that's all you hear.

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** Where do you stand on the bill? I need to know.

**Mr Marchese:** I'm coming to that.

**Hon Mr Baird:** You're 10 minutes in.

**Mr Marchese:** But I've got a lot to say, Speaker, through you always. I want you to listen to me in the totality of things. When we're dealing with the issue of compensation, it's a difficult question, John Baird, Minister of Social Services. It is a tough question, no doubt,

for everyone in this place, because what is fair compensation for MPPs isn't something that we all agree on. We all disagree in this place about what that fair amount is for MPPs. I mean, you people were the ones who said, "We don't need a pension," when you came in. You recall, Wettlaufer and the others who are chuckling away smugly about this issue, you were the people who came in and said, "We don't need a pension."

**Mr Wettlaufer:** That's right.

**Mr Marchese:** And don't you regret having done that? Oh, Wettlaufer, honest to God. If we could only be a little bit honest.

*Interjections*

**The Acting Speaker:** Order.

**Mr Marchese:** I'm not saying be honest a lot; I'm just saying be a little bit honest, that's all I'm asking you.

You were the people who came in here and said, "Those pensions, oh my God, those gold-plated pensions," and you got rid of them. All of a sudden now you're arguing that our salaries are not gold-plated and that they ought to be, because presumably that's what the—

**Hon Mr Baird:** What do you think—

**Mr Marchese:** Oh, John, be fair, be honest; be honest to the taxpayers of Ontario, please. I'm coming to it, John Baird, Minister of Social Services. I've got 20 minutes.

**Interjection:** No, you've got nine.

**Mr Marchese:** I've got 20 minutes, less what I've spoken. I've got a whole lot of time to say what I need to say. Here is when I—

*Interjection.*

**The Acting Speaker:** Minister of Community and Social Services, come to order, please.

**Mr Marchese:** So, what's fair? I don't know what these people from the Tory caucus earn. Some people probably have a lot of money and some people not so much money. I don't know. A whole lot of businessmen say, "I don't have a lot," I'm assuming, right? Yeah. I know most of you have more than I do, I know that. But I know it's not enough for some of you guys, because you've got a lifestyle, right? Oh, we've all have lifestyles. But if you are richer than some of us, your lifestyle is probably more difficult to feed than the rest of us. I understand. It's tough, it's really tough.

How do you assess fairness? A baseball player makes \$9,000 for hitting a ball—\$9 million, \$5 million, \$6 million for hitting a couple of balls out over the field there. Is \$9 million fair? It's obscene sometimes. Some of those hockey players, I don't know how many millions of bucks these people make for just skating around and scoring a couple of goals, defending a couple of goals, one way or the other, millions of dollars. Is that fair? I don't know. How do you assess that?

Then you've got a whole lot of people at the other extreme, not making a whole lot of money, saying, "Holy cow, I work hard. I don't make much." What's fair? It's a tough one. Good citizens of Ontario, I know this is a tough issue for you, as it is for us.

Governments could have the courage to do several things. They could increase the salary modestly, 2% or 3%, which I think people would have accepted. I said to the Tories that that would have been the best way to have done it. I did say that.

**Hon Mr Baird:** What else did you say?

**Mr Marchese:** I did say that to you, John. Here's what I said to you, John Baird, Minister of Social Services: I said that if you're going to do this and refer it off—by the way, before I get to my other argument, sending it off to an independent party is, in my view, not a bad idea. While some of my colleagues argue that the independent commissioner is not the right person to do it, I think the independent commissioner is probably the right person to be doing it, because he's the guy who keeps an eye on your money, on my money—I've got nothing, by the way, so he's got nothing to worry about with me. He's the guy who keeps an eye on what we make. As to what others have advanced, good arguments, like my buddy here, Peter Kormos from Niagara Centre; they're good arguments, all of them.

I advance with you that sending it to the Integrity Commissioner as the third party, he's probably the right person, because he is the guy who checks up on the good and bad of what we do, whether we're hiding something or not hiding, whether we're making some mistakes about this and that with respect to what we own, what we've got. That's probably the right person to be taking a look at this particular issue.

Sending it to a third party, good citizens, whether you agree or not, is probably the fairer thing to do, because when politicians set their own rates, no matter what you do, even if it's 2% or 3%, you're still going to get whacked. I know that, because there's a whole lot of people out there who revile politicians, and anything connected to salaries is always going to be a bad thing. You're going to get whacked no matter what. I know that. Whether it's 2%, 1%, 0%, no increase, it doesn't matter, you still get whacked, because there's a whole lot of people out there who, even if you don't get a raise, say you got one. I know that.

So the idea of setting your own salaries is a difficult thing. I'm saying to you, whether you set it at zero, less than that or more than that, the majority of people still think we're going to be paid as much as the federal MPs, no matter what. Whether we do something or not, people probably believe we're going to get the same salary or we're getting the same salary as the federal MPs. It doesn't matter what we argue here. Politicians setting their own salaries is a tough one; it's really tough because it doesn't matter what you do, you're going to get whacked. However, if you decided as a government to take responsibility and say, "We're worth 10% more, 15% more, 20% more," they'd have no problem with that, but we take it out to the electorate.

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Some people don't like that either, John Baird, Minister of Social Services. If you had decided to go the other route where you say, "We're worth 20%"—got the

courage, fortitude, muscular—if you'd done that, I would have said to you, take it out to the public and enact that salary increase that you might have proposed if you had the courage to do so for the next group of politicians. It would have allowed the next group of politicians to decide one way or the other whether they would have stuck with that, whether they wouldn't, whether you would defend at the door, "Yes, it was a good increase," or not. You could have taken that approach and had the courage to do so and not take the salary that same day or that same month. You could have argued that. I would have supported that. You would have given the public the opportunity to be heard. A lot of people wouldn't like it, there's no doubt about it, but at least they would respect that; they would respect that we had taken a position on it. They would have respected the fact that we had the courage to take a position and defend it one way or the other.

OK. You haven't done that. You didn't have the fortitude—muscular—to do it. I understand that. Referring it to the Integrity Commissioner is a good thing, as a third party looking at this particular issue. I know another colleague would argue differently, that it should be somebody else, not the Integrity Commissioner, and there should be different criteria. I don't argue that, but I respect that view as well. My point in this is to say, send it to the Integrity Commissioner but, as another colleague may have said, delay it and implement it or put it into effect for the next election. That's what I think you should do. Send it off to the Integrity Commissioner, yes—I believe he's an appropriate person—but don't do it now.

You can make an amendment or a change that says, "We will have his answer to this or whatever he proposes come into effect after the following election." I would support that. There's still time for you to come back with that change to get me as an individual to support such a move. You would be giving the public an opportunity to respond to your initiative. I think one way or the other you need to give the public that opportunity. I think they deserve it.

I know there's disagreement, but that's the point. That's the point of our views, that it's nice to be able to advance certain ideas and certain views, knowing full well that there are a whole lot of people who might agree and a whole lot of people who don't agree. But I'm convinced a whole lot of people agree with the position that I'm advancing, which is: you put something into effect for the next election. A whole lot of people out there would like that, would be given an opportunity to respond one way or the other. You might have some people saying, "You've got courage," "You did that," "We don't like what you're doing," "It's too much," "Not enough," whatever. We'd take our lumps as politicians, and we would take our lumps on the basis that we knock on those doors and we'd give them an opportunity to respond to this issue. I think that too takes courage, but I think it's consistent. I think it would be consistent to argue this, and I think some of you would be respected for taking such a stand.

I advance this position to some of you. I don't know, maybe you'll listen to that, maybe you won't, or maybe you'll come up with something different or you'll simply continue taking this position on the basis that you're doing the right thing. But I suggest to you that the right thing is to submit this or any proposal to the public and have their judgment on it. In doing so, we will have their ultimate judgment rather than our own. With that, I conclude my remarks and am happy to have had the opportunity to speak to this issue—

**Mr Peter Kormos (Niagara Centre):** Thank your colleagues.

**Mr Marchese:** I thank Peter Kormos—because he says I've got 20 more seconds—for his speech. I thank my friend from Timmins-James Bay for having spoken and given his views; my friend Tony Martin, Sault Ste Marie—

*Interjection.*

**Mr Marchese:** —Shelley, who sat for me in Sudbury the other day on education. Thank you, Shelley.

**The Acting Speaker:** It is now time for questions and comments.

**Mr Wettlaufer:** It is always interesting to listen to my friend from Trinity-Spadina. On the one hand, I saw him speaking in support of the bill; in fact, in the first half or two thirds of the speech, I definitely read into it that he was supporting it. He even said twice that referring the question of salaries for MPPs to the Integrity Commissioner is a good thing. But then he turned around and said we should take it out to the electorate. Well, you can't go both sides of the fence. The NDP often say to me they are so principled. If you're so principled, take a position.

I've talked to the people in my riding and I haven't had one person say that it's a bad idea to refer this to the Integrity Commissioner. I'll say this much: we could take the position that the feds did. We could take that position, which I feel is unethical, definitely a conflict of interest.

As far as gold-plated pensions are concerned, there is no way that we should have gold-plated pensions of the ilk that the feds have. How can you justify, for instance, that a federal MP, after about 10 years, will qualify for a \$95,000-a-year pension?

I do want to say that the people in my riding support what we're doing. They like the principle of this bill.

**Mr Dwight Duncan (Windsor-St Clair):** I'm pleased to have the opportunity to respond to my colleague. I will be voting in favour of this legislation. I believe it is appropriate that the Integrity Commissioner be brought in to make an independent decision without any influence from this Legislature. The members of the third party have consistently said that we should either set limits or set some kind of parameters. Then you're engaging in the debate. I don't know what the commissioner will do. I'll accept his decision when it comes and I'll take whatever he does at that time. I want to put that on the record.

I say to members who feel strongly about this, you have an option: you don't have to take the raise, if one is offered, or the cut. The hypocrisy that is emanating from the third party is astounding.

**The Acting Speaker:** I think the member knows well that that's unparliamentary. I would ask him to withdraw.

**Mr Duncan:** I withdraw the remark "hypocrisy."

The point of view expressed here in the House is inconsistent with taking any increase that may or may not come along, but that kind of inconsistency is attendant with what their federal brethren did. They voted en masse against the federal pay raise and, lo and behold, most of them took it.

I respect your position. You've put compelling arguments. Just don't take it if there's a raise. That's all you have to do: just say no. I will take what the commissioner gives. It's an independent process. As I said, I will be pleased to take it at that time if that happens. I believe it should be an independent review, and it ought to remain independent and not have members trying to influence it.

**1910**

**Mr Bisson:** I always listen with interest to the comments made by the member for Trinity-Spadina. I just want to comment on a few things. First of all, one thing we need to understand is that there are diverse views when it comes to the opposition to this bill, for different reasons. But one thing that's got to be clear is that we're united as New Democrats opposed to this on a number of levels; one, because it doesn't treat all members of society the same way. It says that anybody who is on minimum wage, anybody who is a unionized worker, anybody who is a public sector worker, anybody who is a constituency office employee, anybody who does whatever, gets one set of rules when it comes to their pay increases and there is yet another set of rules for members. That's the first point.

I disagree, however, with the member for Trinity-Spadina on the issue that we should refer this out to the commissioner of conflict of interest, because the argument he makes is that we do that because at the end of the day it will be arm's length—I understand that argument—that he will make a recommendation, but the important point he made was that at the end of the day the voter has a chance to pronounce himself or herself on the issue on the basis of it, if it's put into the next election.

I disagree with that. If members feel they are deserving of a 20% raise or a 15% raise, whatever it might be, I have no problem referring it out for recommendation, but I think we should have the courage of our conviction to come back into this Legislature and stand up and say "yea" or "nay" on the percentage. If we see fit to cut welfare recipients by 22%—and we've done that in this Legislature; not New Democrats, but the Tories did—we're always dealing with money issues when it comes to votes, and we should have the conviction of ourselves standing up and saying, "We will vote."

The last point: one of the reasons this whole issue is coming, the Tories know a big increase is coming and they're trying to compensate themselves for having got rid of what they call gold-plated pensions. I'll tell you, it's kind of hard to take, when you listen to the other side when it comes to this issue, because we know what this is all about.

**Hon Mr Baird:** I certainly listened with great interest to my friend from Trinity-Spadina. It was, as usual, a very good speech. It took him a while, though, to get to the issue at hand. He set the stage, as he normally does, but I found the speech most interesting.

I want to echo—

**Ms Frances Lankin (Beaches-East York):** Is your mom watching us tonight?

**Hon Mr Baird:** My mother is probably watching, I say to the member for Beaches-East York.

**Ms Lankin:** She likes me.

**Hon Mr Baird:** My mother likes the member. My mother, Marianne Anderson, likes the member for Beaches-East York and the member for Trinity-Spadina.

But on the substance of this issue, the best way to go is to have people, elected officials, not be put in charge of setting their own remuneration. I think that would be best. The best way to go would be to have someone who's independent and at arm's length, someone with integrity, like Judge Evans, make this determination so that we are not put in this position of doing it ourselves; it's best made at an independent level.

I listened with great interest to the member for Trinity-Spadina and he talked about a test. He talked about a proposal that he had. He said he thought they should "subject the proposal to the public for their judgment." So I have a question, in these questions and comments, to the member for Trinity-Spadina: could he tell us about his plan to subject the proposal that Judge Evans were to come back with, or whoever might hold that office of Integrity Commissioner, how he intends to subject that proposal to the judgment of the people of Trinity-Spadina? Is he going to hold off receiving the increase and hold a town hall meeting and ask? Is he going to wait until the next election, as he says we all should do? Could he tell us about his leadership in this regard?

**The Acting Speaker:** The time for questions and comments has ended. The member for Trinity-Spadina has up to two minutes to respond.

**Mr Marchese:** Thanks to my friends, and sometimes my foes as well.

Look, I don't know whether the member for Windsor-St Clair was paying attention to what I said, because he talked about putting parameters or limits. I didn't talk about parameters or limits. Perhaps another colleague did in the previous debate, which he may have listened to, but I didn't talk about parameters and limits. So I'm not quite sure where he got that view from.

Yes, there's diversity. I spoke to the fact that there is a great deal of diversity of opinion in this House. In fact, if more people spoke we probably would hear it too. I'm not sure.

**Mr Kormos:** You didn't hear from them.

**Mr Marchese:** We didn't hear from a whole lot of people.

**Hon Mr Baird:** Except me.

**Mr Marchese:** It was good for you to ask some questions in the time that you had to respond to me. I'm not sure. It would be good, from time to time, to hear

from more people on complicated and difficult issues, because we don't get enough of it.

There is diversity of opinion, there is no doubt, but we are, as the member for Niagara Centre said, united in our opposition in this regard. What I said was that I supported the idea of sending it out to an independent party and I agreed with the idea of the Integrity Commissioner.

**Mr Wettlaufer:** Then go for it.

**Mr Marchese:** But I said something else, Monsieur Wettlaufer from Kitchener Centre. I did say, however, that we should put whatever is recommended by the Integrity Commissioner into effect for the next election. That's what I said.

**Mr Bisson:** What difference does it make?

**Mr Marchese:** For some people it may not make a difference. I'm arguing, this is my view. I think you put it into effect for the next election—

**Mr Bisson:** I think we should vote on it. Then the people will know how to vote.

**M. Marchese :** Mon ami Gilles Bisson, c'est mon opinion. C'est ça que je dis. Tu as la tienne, moi j'ai la mienne.

The point is, if you do that, you have my support. If you don't do that, I'm in opposition, like the other New Democrats, for different reasons.

**The Acting Speaker:** Further debate? Further debate? Third and final call for further debate? Hearing none, I'll put the question to the House.

Mr Tsubouchi has moved second reading of Bill 82. Is it the pleasure of the House that the bill carry?

All those in favour, please indicate by saying "aye."

All those opposed, please indicate by saying "nay."

In my opinion, the nays have it. Call in the members. This will be a 30-minute bell.

Under standing order 28(h), I have now been notified that the Honourable Frank Klees, the chief government whip, requests that the vote be deferred until tomorrow. That is so ordered.

## ONTARIO STUDENT LOAN HARMONIZATION ACT, 2001

### LOI DE 2001 SUR L'HARMONISATION DES PRÊTS D'ÉTUDES DE L'ONTARIO

Resuming the debate adjourned on May 9, 2001, on the motion for second reading of Bill 19, An Act to amend the Ministry of Training, Colleges and Universities Act / Projet de loi 19, Loi modifiant la Loi sur le ministère de la Formation et des Collèges et Universités.

**The Acting Speaker (Mr David Christopherson):** Mr Caplan, the member for Don Valley East, has the floor.

**Mr David Caplan (Don Valley East):** Right off the top, let me say that I will be supporting Bill 19. I think it's a piece of legislation that is very much needed. You see, what's happening in Ontario is that the banks are getting out of the business of providing for student loans, so this bill is very much needed in order to allow students

to have access to the Ontario student assistance program and to work in concert with the federal student loan program as well.

In the context of this bill being needed because of the actions of the banks withdrawing from lending to students, I think there's an overall, larger picture that needs to be brought out. That is, frankly, what has happened to the whole area of post-secondary education in the province of Ontario. If I could very quickly review, I would point out to all members of this chamber that upon being elected in 1995, at the presentation of their first budget, the Harris government cut \$400 million from post-secondary education. To this date, those monies have not been returned to the post-secondary colleges and universities, to our training institutions. That's a significant problem. It has to do with the competitiveness—

**The Acting Speaker:** Would the member take his seat, please. It's also a significant problem that there are at least three other conversations going on in this place. I would ask members to please show the respect due to the member from Don Valley East, who has the floor.

**Mr Caplan:** It's a significant problem because it harms our competitiveness as a province. You see, what has happened in every other jurisdiction across North America, even in most of the world, has been an increased investment in knowledge and knowledge-based institutions. Our competitors understand, and understand very clearly, that in order to have the most dynamic economy, in order to have the most livable communities, in order to have the most skilled and trained population and workforce, you have to invest in education and in post-secondary education. So it's ironic that in Ontario we've taken completely the opposite approach. We have cut considerable funds, \$400 million, out of post-secondary education.

I would say that of the 60 jurisdictions in North America, Ontario ranks 59th out of 60 in support for post-secondary education. I think that's a real shame, and I think it shows the misguided priorities of the Harris government and the actions they have taken when it has come to post-secondary education. In fact, it was the government's own Ontario Jobs and Investment Board, headed by the Premier's adviser Mr Lindsay, which said that that action was misguided; in fact, the government should be acting in exactly the opposite way, in providing more support, in providing more access to assistance.

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Bill 19, is one of the ways in which there will be more assistance. However, the assistance that is going to go to students will be in the form of loans. So the students will now have the opportunity to be able to access pools of money, dollars, through lending institutions to take on more debt. That is a great problem in Ontario. The debt levels that students are carrying are unprecedented. I think the average for a graduating undergraduate student in the province of Ontario is \$25,000 of debt; \$25,000 of debt upon graduation just from an undergraduate program. If I don't remember incorrectly, Western medical

school did a survey of graduating students from medical school which showed that doctors graduating from that institution were having, on average, about \$75,000 worth of debt upon graduation.

These kinds of crushing debt loads have taken their toll. You've seen this in the incoming classes in not only undergraduate but in second-entry and professional colleges, where it is becoming the more affluent who are accessing college and university opportunities in those kinds of educational institutions, and that's a real danger to our society. You see, it's not just the wealthy who have the potential cure for cancer. It's not just the wealthy who deserve an opportunity to expand and reach and find their own potential through higher learning and education. A truly enlightened society, a progressive society, a just society makes sure that all of its constituents have equal access to post-secondary education, have equal access to educational opportunities. That's not happening in the province of Ontario. It is something that as legislators we ought to be concerned about.

Providing access to loans may be helpful to some, but it is not helpful to all Ontarians who are deserving, who have the ambition, who have the desire, who have the skills and the abilities to be able to go on to college and university. I would call on the government, as I have many, many times, to reverse some of the decisions they made, to reinvest. If we have \$2.2 billion for a corporate tax cut—an irresponsible corporate tax cut, in my opinion—we certainly have the funds available to invest in post-secondary education, to restore the \$400 million that was cut back in 1995.

What has happened in Ontario is that the institutions, the universities and colleges, in order to make up the funding differential, the difference in what they lost from government support as their funder, have gone and raised it in tuition. In the six years since 1995, tuition has increased 60%, well above, far and away above, the rate of inflation. In fact, it's even worse than that when you consider graduate programs, when you consider second-entry or the professional colleges. The door is now entirely wide open.

I remember sitting here absolutely stunned when the then finance minister, Ernie Eves, stood up and in the middle of a December economic statement, without any notice and without any warning, told this Legislature that those graduate and second-entry programs would be deregulated: the sky was the limit. What you've had and what you've seen around the province in some cases is a 500% increase in professional colleges just in those few years since then. That's unconscionable. There's no reason for it. It's unreasonable, and it has restricted access.

The University of Western Ontario medical school study that I referenced earlier is further proof of this. Not only is there a high debt level for graduating students, but the incoming classes each year for the last three years have been more affluent and more affluent and more affluent students. So those from not as strong an economic background have not even bothered to apply and have not been accepted, and that is contrary to the values

that we have held in Ontario. Unfortunately, the favour-the-wealthy attitude seems to be in ascendancy, at least with the Harris government. This province and this country were built on the values of equality of opportunity and equal access, but no more. It's now a question of: is your wallet large enough? Can your parents support you? Can you take on and be able to retire the kind of crushing debt level that Mr Harris and his cabinet and his caucus seem to think students should be able to?

Since 1995 the average debt levelled has doubled. The incoming students are coming from more affluent backgrounds, meaning that working-class and middle-class young adults are being cut out, are being left out, are not having those opportunities. As a result we'll all be the poorer for it, because support for elementary, secondary and post-secondary education is the cornerstone of and the best investment we can make as a province. It is incredible that, time after time, study after study, adviser after adviser has drilled this into the government and the cabinet, yet they've done absolutely nothing about it.

Access to loans is certainly a good idea. I do support it. I do think it's necessary. It's a shame that the banks have decided to abandon this particular area. One of the areas I've looked forward to is greater federal-provincial co-operation. It's interesting, however, that when the federal government offered the millennium scholarship to students, it was clawed back by the Harris government. When the federal government tries to do something to help and assist students, just as we've seen for working families with their child care expenses, the Harris government comes and claws those dollars back. It is despicable, absolutely despicable, that that would take place. I think every member on the government side should be ashamed of those kinds of actions.

It's the job of us all to lend a helping hand, to do what we can to support post-secondary institutions and to support our working families. That's what Dalton McGuinty and the Ontario Liberal Party are all about, that's what our policies are all about, that's what our ideas and our values are all about: being there to help Ontario's working families.

I've shared some of my thoughts about the particular program being offered under Bill 19. I certainly will support that. I would encourage the Minister of Training, Colleges and Universities, members of the cabinet and of the government that there is a lot more they could be doing in order to support young people in this province and to support this province in general.

**The Acting Speaker:** It is time for questions and comments.

**Mr Gilles Bisson (Timmins-James Bay):** Some interesting comments were made by the member for Don Valley East. What's interesting about this particular bill is it's another example where the government has to come back with another bill to fix something they messed up when they passed the original bill.

You will remember it was this government, in a previous Parliament, which moved to take away from the Ministry of Education the responsibility for adminis-

tering OSAP loans, both giving them out and making sure the collections were done. The argument was made at the time when they passed the bill that it would be better if we privatized the service, gave it over to the banks or whoever, it would be cheaper, it would be more effective and it would be better for students. We heard all those speeches.

As New Democrats we got up and we said, "No, you're wrong. At the end of the day it's not going to work. Your collection is not going to be any better and all it's going to do is give students a harder time." In fact, that's what's happened.

Now what we have is the private sector operators who have been responsible for administering OSAP loans are now coming to the conclusion—guess what? There's no money to be made in this, something we understood as New Democrats when we started out here, because most students who go out and borrow money do it because they haven't got any money. So there's not a big ability for the private sector to make money on the administration of OSAP loans and collections because at the end of the day there are still defaults on OSAP loans because of economic situations and situations of the students themselves.

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So it's interesting that here we are passing a piece of legislation to undo the mess that the government created originally when it moved this from the Ministry of Education over to the private sector. I just want to put on the record, as New Democrats we stood in the House on the original bill and we said this wouldn't work. We've been proven right yet again. How many more times are we going to have to do that before this government realizes they're going in the wrong direction?

**Mr Alvin Curling (Scarborough-Rouge River):** I listened to my colleague put the case very eloquently, and I have to say that he understands it, because the fact is that I really regard this as the government messing up a long time in putting their house in order.

I was surprised they even put a bill through to do all this kind of stuff, because the students have had to deal with Canada student loans and Ontario student loans, and many students who have paid off the Ontario student loan continue to pay it and don't realize they haven't paid the Canada student loan. The two organizations couldn't get together to say, "Let's harmonize this."

Many students are coming to me many times and saying, "One arm is telling me that I owe them money, and I've paid so much money here." I think that we're wasting the time of the House even to debate all of this. They should just clean up their act very quickly. They of course, the students themselves, had been withdrawn from any grants a long time from governments.

Another matter, and I hope they are to discuss this, is the way students are being treated now when they have a loan: they can't even declare bankruptcy now. I know that's a federal matter, but it concerns the students today, so when I heard my colleague making some mention of the struggles and the frustrations that students have, I

said thanks to my colleague here who understands the issue.

I hope there will be more money available for students. Right now the banks are saying it's such a messy effect that they don't even want to deal with it. They handed it right back to the government to fix it up. They're not into the lending of money to students any more. This is shameful, because many students are left holding the bag—\$24,000, \$30,000, a debt in hand.

So of course I support this, and I am glad that my colleague spoke so eloquently on this matter.

**Mr Peter Kormos (Niagara Centre):** I haven't had a chance yet to address this bill; neither have seven of the New Democratic Party caucus—six plus me—and we very much want to address the bill.

Look, this isn't about who handles the OSAP plan; this is all about tuition fees that are rocketing through the roof. It's all about increasing numbers of bright, capable young people like the young people from the community I represent and the communities you represent and the communities all of us represent, who aren't going to get into colleges and universities because of these exorbitant tuitions, and the deregulation of those tuitions.

Look, I've said this to you before, and I think it warrants saying it again, because I just feel compelled to: I was the first generation of my family to get to college and university. I'm the son of immigrant and working-class parents. I'm grateful for the fact that my parents and grandparents, just like yours and yours, made those investments in colleges and in universities, in public education across the board so that, yes, a kid like me, of immigrant, working-class parents, could go to college and university.

As I travel across campuses, be it down in Niagara—Niagara College and Brock University—or anywhere else in the province, I meet other kids who, like me, are the children of working-class and immigrant parents. My fear is that just as I was the first generation, they could be the last generation, as children of working-class and more often than not, or as often as not—I guess it doesn't really matter—immigrant parents, to get a chance to go to college or university.

The sad thing about it is these are bright, capable people and that their post-secondary education is important not just to them but to all of us. It makes our community stronger. It's going to make our senior years, because we're approaching—believe it or not, Speaker—middle age. You, too. Some people here are older than me. And it's those young people who are indeed our future.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I have to commend my member who spoke on this bill. First of all, at the present time we know how the OSAP is figured when the student completes his studies. But at the present time, what I am looking for, and I was hoping to see this in this bill, is the fact that we never, never considered a rural student. They have to travel from one distance to a larger centre, and they're entitled to the same amount of loan. Also, they have to pay for their room and board, the education and everything. This

really adds up in the cost of their university or college studies.

I noticed that the proposed legislation would amend the Ministry of Training, Colleges and Universities Act and permit the Minister of Training, Colleges and Universities to make direct loans to students of post-secondary institutions and enter into agreements regarding student loan administration. I just wonder where they're going to get the money. At the present time, the banks just don't want to lend money to the students, because the entry fee or the registration fee at the universities and colleges is so high that when they've completed their university, they're in debt anywhere between \$25,000 and \$50,000.

I ask the minister if he would take a hard look at this again for the students who have to travel a distance and sometimes rent an apartment so they can continue their studies, because of the distance they have to travel. They just cannot get into a carpool. In the rural areas, there's no public transportation. That should be taken into consideration to allow those students a larger loan.

**The Acting Speaker:** The member for Don Valley East has up to two minutes to respond.

**Mr Caplan:** I'd like to thank all of my colleagues who commented on my remarks. I'd like to start in reverse order. The member for Glengarry-Prescott-Russell talks about rural students. It's very interesting that when the OSAP applications are made, a family's income, but also their assets, are taken into account. The member for Glengarry-Prescott-Russell is quite correct that students from a rural background not only have to travel great distances, but when you consider that many come from farming communities and have farm equipment and machinery that are part of the asset base that is taken into account in the OSAP calculation, it can place a considerable burden on the family to fund the education for students. I think we would all recognize that this has been a long-standing problem and it is something that really does need to be addressed to have some fairness and to have some equity for the students from a rural background. I don't say that as blaming anybody, because that is a long-standing problem.

The member for Niagara Centre talks about exorbitant tuition rates and, yes, that's quite correct. That's been what has happened historically under successive governments. Again, I think we want to be fair about this. But a 60% increase in six years, plus, in the case of second-entry and graduate programs, we've seen up to about a 500% increase, I think that's just a little bit too much and it's bearing out with who is having access to post-secondary education.

The member for Scarborough-Rouge River talked about government grants. They have not existed since the 1980s. Back in 1990 or 1991, I believe, the then New Democratic government of Bob Rae ended the system of grants entirely and it became simply loan, and that was all the assistance that there was from the government. I think that was also a very wrong decision but one that has been perpetuated over the years.

Finally, the member for Timmins-James Bay essentially says, "We told you so." We've heard that an awful lot in this Legislature, because this government has had to pass legislation and legislation and legislation in order to correct their errors.

**The Acting Speaker:** The floor is open for further debate.

**Ms Marilyn Churley (Toronto-Danforth):** This is my one-hour leadoff speech, I believe, or more. Mr Speaker, you would know how thrilled I am to have this opportunity tonight to be here to speak to this bill, because I have some very important things to say. Now, I only have 20 minutes to say them. Significant bills are being rushed through this House so quickly all the time. There was another time allocation bill today. We hardly get an opportunity to debate anything at great length.

Some people might argue, as they have, that this is just a housekeeping bill; everybody should just support it and get it out of here. I don't think it's going through in as much haste as the pay raise scheme, Bill 82, that's being rushed through the House. It's not going through as quickly as that, but it is going through with undue speed.

The reason our caucus wants an opportunity to speak to this is that despite the fact that Bill 19, the bill before us, is deemed a housekeeping bill, it brings up a whole lot of important issues around post-secondary education in this province and we can't pass this bill without having an opportunity to put those things on the record, which is what I intend to do tonight.

1940

First of all, let me talk a little bit for the record about what Bill 19 is about. My notes tell me it's a housekeeping bill. Many stakeholders say the same thing, that it's a bill that has to be done.

**Mr James J. Bradley (St Catharines):** You must have the same notes I have. My notes say the same thing.

**Ms Churley:** Your notes say the same thing? It seems to be the common phrase used in terms of this bill, that it's housekeeping. I suppose it is. Perhaps we should exchange notes and see if we've got the same things on it.

The reality is that it is a housekeeping bill, in that the federal government had to take over student loans from the banks, because guess why? High default rates did not make lending money to students sufficiently profitable. So the bill before us today accomplishes the same thing at the provincial level.

As our critic for education, the member for Trinity-Spadina, has said before—and I read through his notes carefully because he is far more knowledgeable about this area than I am. One of the things he said that struck me, which others here tonight have said, is that the banks have given up this responsibility because they're not making enough money off it. Give me a break. In my view, given the profits these banks make, they should be helping finance these students to go to universities and colleges. They should be setting up special scholarships and funds for students. They're not doing that.

**Mr Bradley:** They could do that with the increased user fees.

**Ms Churley:** Exactly. The banks gave up this responsibility. Why did they get into it in the first place? They thought they were going to have an opportunity to make scads of money off these poor students. It didn't work out that way, so they decided to give it up because it wasn't profitable enough. That in itself is fairly telling, that we have this bill before us because the private sector, instead of taking its corporate responsibility to help educate the next generation, some of whom are going to take over their jobs in the banks, the young people we need—especially in this economy we're living in, we need a highly educated, highly trained workforce. We need to be investing more and more in education, but at this time the banks have decided to step aside and throw it back in the laps of government because they're not making enough profit. For anybody who's paying attention to my speaking to this bill, that's what it's all about: it simply throws it back into the lap of government.

The bill amends the Ministry of Training, Colleges and Universities Act. It permits the minister to make direct loans to students of post-secondary institutions. The minister will also be able to enter into agreements regarding student loan arrangements. The minister will be able to assign, transfer or sell student loans.

Powers of the Lieutenant Governor in council: the bill permits the LGIC to prescribe persons entitled to be financial institutions. I think I'm having trouble with my notes here. I might need yours, Mr Bradley.

**Ms Shelley Martel (Nickel Belt):** Bigger print.

**Ms Churley:** Or maybe bigger print. It permits the LGIC to prescribe criteria to determine students' eligibility for awards, grants or student loans. It permits the LGIC to further prescribe terms of agreements regarding student loans and their assignment, transfer or sale.

That's what the bill before us is all about, and it needs to be done.

The issues we need to have a very important discussion about here tonight—I would really like it if people were listening, because we're talking about real students who are being affected by the huge increase in tuition since this government came into power. It has been pointed out before, and I'm sure members of the Tory government—I don't believe they're debating tonight, but if they get up for two-minute responses—will say, "When you were the government, you raised tuition fees as well." They're right; we did.

But what I want to say is this: since you came to power—we're not going to argue about why the economy is booming. I know they're going to say it's because of their policies, their tax cuts and their other policies, bashing welfare people etc. They'll say that why we have a good economy. In fact, in the past they've claimed responsibility for the good American economy. But let's not argue that tonight. It has been a good economy, a booming economy, and that's the time you take the opportunity to invest in our colleges and universities.

But what does this government do because it needed to find billions of dollars to give people, mostly wealthy people, tax cuts? Instead of using a good economy to

invest in our young people and to invest in our colleges and universities, they kept piling the debt more and more and more on these students. I believe it's a 60% increase since this government came to power, in good economic times. As I understand it now, Ontario is spending less than most other jurisdictions in North America, and that is absolutely shameful. I couldn't believe it when I read this information, when I heard about this.

The government—I hope the members will pay attention to this—is funding our post-secondary institutions less today than the NDP did prior to 1995. Some of the members over there would say, I suppose, that we shouldn't have spent that money because we were in a recession. When we were in government, all kinds of members, some of whom are still here, now sitting on the government side, told us we were spending too much money during a recession. Some people think they're right; some people think they're wrong. But the reality is that we chose, even in a recession, to continue to find money—and we weren't borrowing money to give people tax cuts, I can guarantee you that—as we agonized, in the middle of a very bad recession, about how we were going to continue to invest in the people of this province.

Whether or not you agree with what we did in raising the deficit as high as we did, I can stand here proudly and say that we made a decision to borrow money to help people stay afloat in a very bad recession, that we borrowed money to make sure our colleges and universities continued to be funded, that we borrowed money to help people find jobs, that we borrowed money to keep our communities as strong and healthy as we possibly could.

If there's ever a time when government needs to borrow money, it's during a bad recession when people need help and the assistance to stay afloat, not in good economic times to give a tax break to the wealthy, and in the midst of doing that, having to raise tuition fees 60%. That is absolutely obscene and unacceptable.

Student loans, as we know, have gone up so much that a lot of poor students, even middle-income students now, can't afford to go to post-secondary institutions any more. How much have the tuition fees for doctors and lawyers and other professions gone up? It's \$14,000 at the U of T to train to be a doctor now. Are you out of your minds? What this means is that only rich people can now send their kids to study to be a doctor. Where's the equity and the fairness in that?

It also means that many of the lower- and middle-income students cannot go to post-secondary institutions any more. As previous members have said, it is such a shame, not just for the generation that's coming up and the generation now that can't afford it. It's a slap in the face to many of our parents and our grandparents who worked so hard to build up those institutions so that people my age could go to university, could go to post-secondary education.

1950

This is perhaps a good opportunity to pay tribute to my father. As people know, he died several months ago.

People talk about immigrants coming to Canada and working themselves up so their kids could go to university. I can say the same thing about my father in Newfoundland. My father had to quit school in grade 6. He grew up in the Depression in a small outport in Newfoundland. He was a very smart man, but he had no opportunities. That was before Newfoundland joined Confederation; we weren't part of Canada then. He had no opportunities to even finish high school. He didn't even get to go to high school.

He left Newfoundland and he went off to Labrador and stated working on an airforce base. He raised a family in Labrador and studied by lamplight—no kidding, because we didn't have electricity—to work his way through high school by correspondence and get his high school diploma. Then he went on to study, raising kids, to get a stationary engineer's degree.

I've got to tell you, my father had one strong goal in life. Because he didn't have the opportunity, he scrimped and saved, believe me, to make sure all five of his children had an opportunity to go off to university or post-secondary education. He was able to help us get through that, but he wasn't a really high-income earner. I am so proud of my father, that he was an intelligent man and was committed to getting the education he needed to better his life so his family could have opportunities he never had. But if my father were raising us at this time in Ontario on his salary, he would not be able to send us to post-secondary education. That is the reality.

It's important for us to relate these stories and make this personal. Others have, and I guess part of me wanted to have an opportunity to pay some tribute here to my father. His name was Edward Churley. As many of you here know, he got sick and we had a terrible time last year as we watched him wither away and die.

It's the first time I've raised this. It's the first time I've felt that there's a context in which to talk about him and pay tribute to my father, making sure his kids had an opportunity to get an education. I'm sure that's true for many of us. For that generation who didn't have the opportunities, that was one of their main goals in life. I certainly want to thank my father, wherever he may be now, for working so hard to make sure we had that opportunity.

The government has an opportunity now to do a series of things. The NDP has called on the government to do these things that could make a big difference in the lives of so many people right now.

The government should immediately tackle the root cause of student indebtedness: across-the-board tuition increases of 60% and 520% in the case of some professional programs. Tinkering, as we are here today, with the loan system is not what Ontario students and families need.

As we know and as has been pointed out time and time again here—and some people are talking about real people. We talk about the students. My son is one of them. Everybody knows about the son I had relinquished for adoption many years ago, and he's back in my life.

When we reunited, he was at university a few years ago, after this government came to power. Tuition rates were going up and up. He's graduated now and then went off and took a special course so he could get a job. He's over \$30,000 in debt. His job is his first real job. When you think of the way rents have gone up—they've increased two- or threefold here in Toronto—and when you think about the high debt he's got, the cost of his accommodation and his food and paying off various loans here, there and everywhere, it's just shocking. As I said previously, I help him when I can, and so do his adoptive parents, but really it's up to him, ultimately, to try to pay off the bulk of that loan. He's living in absolute poverty. I hope he doesn't mind my talking about this. I don't think he does, because he's one of many students out there right now. It's amazing.

It's heartbreaking to see, as well, because you see this bright young person who went to university and worked hard and went back for a special course, and the only way he could do it was to take out loans because his adoptive parents could only afford to help so much, and that's the case of many people.

I mention him because he is one of many students out there these days who are in the same position, and it's very difficult for them to plan for their futures. That is the problem. So it's bad for the economy as well. Almost every cent he makes—is he going out buying a new car or a house or lots of new clothes or any of those things? He can't, and he won't be able to for a number of years.

That's one of the things we're asking the government to do: to cut tuition fees. We believe that tuition fees should ultimately be abolished, as is happening in other jurisdictions now, but in the interim there are things the government can do, and these are the three things it should do immediately. Freeze tuition fees for this year. We've called on the government to do this time and time again. You can afford to do it. You've got the money, even if you have to give up on some of the tax cuts. The money is there, and there are no more important people we can invest in. Well, I suppose there are those seniors. Actually, there are lots of people we can invest in. But freeze tuition for this year. Help them out a little bit. You should adopt our platform commitment to regulate tuition for professional programs and cut tuition by 10%.

If the government were to do this, for instance, medical programs that currently cost \$15,000 would end up costing approximately \$5,000. That would be so much more affordable to all of those students, students from lower- and middle-income families who can no longer send their kids to medical school. It's as simple as that. It would also mean that once again in Ontario admission to university would be decided by the ability of the student, not the size of his or her wallet.

I'm asking the government once again tonight to adopt the NDP's proposal, to get back in line with practices across Canada and the developed world. In Canada, provincial governments have frozen tuition—we're not asking to reinvent the wheel here; that's what provinces are doing now—and they're cutting fees by 5% to 10%. Canada

and the United States are the only—I don't know if you knew this, Mr Speaker—OECD countries that do not offer post-secondary education free or at a nominal fee. In today's knowledge-based economy, Ontario absolutely must invest in its students and we must create an equitable system. We must recreate that. We're losing it. In fact, I think we've lost it now with tuition fees so high and other costs of living so high. We must find a way to get back and put the money back into these students' pockets so that they can go on to post-secondary education and get the education that they deserve, whether they come from a rich family or a poor family. If they want to go to post-secondary education, they should have the opportunity to do that.

**The Acting Speaker (Mr Bert Johnson):** Comments and questions?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** I'd like to take this opportunity to let the member opposite know that in fact for seven years in a row during the NDP and Liberals there was a 10% increase in tuition fees. So I don't know why they're just waking up tonight.

We want the public to know that we think students need to be able to plan. For the next five years we'll have a 2% increase in tuition. For university students the average is below \$4,000, and for college, below \$2,000. I also want everyone to know, if people are listening tonight, that we are focusing on students in need. There is no student who is capable and willing and gets the marks who can't go on to college and university because of financial circumstances.

#### 2000

For those who have financial needs, there is the Ontario student opportunity grant program. This is mainly for the member for Don Valley East, who said that the NDP knocked the grants out. We have a grant program and this provides annual grants to students to limit their maximum annual debt to \$7,000. So students who have a debt more than \$7,000, up to a certain level—this is all part of OSAP—their debt is forgiven. As a matter of fact, if they have a Canadian millennium scholarship, it's forgiven after \$6,500.

I could go on. The universities and colleges have set aside 30% of tuition fee revenue. It's toward assistance for needy students. Next year this fund, which is a grant, is \$125 million. This is over and above OSAP. The Ontario student opportunity trust fund: \$600 million across the universities and colleges, and this will help 185,000 students. These are all grants for the next 10 years. So to start talking about grants, we not only have loans; we have grants and we have scholarships. There is no student in Ontario who is needy and gets the marks who shouldn't be able to access the assistance that's there.

**Mr Bradley:** I'll ask the member to comment on whether what she hears in the House would come from one shelf, which would be non-fiction, and another, which would be fiction, on all that she hears. I would just ask her, to all the comments she hears tonight, to be able

to say that, because sometimes the figures aren't exactly accurate when they come from the government briefing notes.

What I want to ask her about is the Canadian millennium scholarship fund, because I can remember, with the child care grant that came from the federal government to the provincial government, I thought it was going to the families. I thought when that grant came from the federal government, it went directly to the families. I have found out now, and certainly I've seen this in the committee of which I am Chair, that in fact somebody has absconded with those funds; somebody has taken them away; somebody has diverted them from the people to whom they were to go into the provincial government coffers. I must say that the Harris government are the past masters of taking money from another level of government and then standing there cutting the ribbon when there's credit to be taken. Last in line to accept the responsibility; first in line to accept the credit.

So I want to know, what ever happened to that millennium scholarship fund? I know in some provinces the students themselves got the money. Someone told me that in Ontario, the government was subtracting perhaps what somebody owed in the past and using the millennium funds for that. The member can help clarify that for me, because I know it's something I've heard, a complaint that may or may not be legitimate, and I wonder whether the member for Toronto-Danforth can clear that up for me.

**Mr Rosario Marchese (Trinity-Spadina):** It would be better in fact to hear from the minister, because she could probably elucidate a little better than the rest of us. You're quite right, member for St Catharines: they take the money and then they suck it away somewhere else. In this regard, the feds produced a program that would give money to students—you're quite right—but it didn't go directly to the students. They take it, as you said, subtract from it what those students owe, and then they get whatever they get—

**Ms Churley:** The Harris government gets it.

**Mr Marchese:** The Harris government, the forces of evil on the other side, of course.

**Hon Mrs Cunningham:** That's how it was designed by the federal government.

**Mr Marchese:** Good citizens of Ontario, you didn't hear, but the minister said that's the way the feds designed it.

**Ms Martel:** But eight other provinces give it directly to students.

**Mr Marchese:** But the other provinces—you could add that—give it directly to the students, and this government says, "Ah, it's designed poorly by the federal government." Come on, Minister. Madame, you have—

*Interjections.*

**Mr Marchese:** There will be other two minutes that I'll be able to do. But they, the forces of evil, have taken \$1.2 billion cumulatively out of the post-secondary education level, a 60% increase in tuition fees under their careful watch in the last six years in a good economy—

up 60%—and then the minister of post-secondary education says, "But now they've got security. They know that for the next five years they're only going to get 2% every year."

Thank you, madame, for that wonderful security after whacking us for six years with a 60% increase. And then the deregulated program—it's over 500% that some of these people in medicine or law are getting. The forces of evil will never stop putting it to the good citizens of Ontario, and this yet is another place they're doing it.

**Mr John O'Toole (Durham):** It was interesting to listen to the member for Toronto-Danforth. She was complaining that perhaps one of her dependent children was unable to complete university without a significant debt load. The minister, Mrs Cunningham, who introduced this bill, has made it clear that the maximum debt load under the OSAP provision is \$7,000 per year. For an honours degree—four years at \$7,000—that's \$28,000.

When I was on the road on different bills, I heard there was some concern about student debt load. I have five children, and the last two are in university. My wife and I have worked hard, and because we both work, they're not eligible for loans at all. So they're borrowing from mom and dad. I would just have you know there is certainly a concern I feel that all of them, all five—I would say on average a year is between \$10,000 and \$12,000.

My children did not have a university until the Minister of Finance, Jim Flaherty, and our Premier announced there would be the Ontario Institute for Technology in Durham, a new university, and I thank them for that—a good part of university, of course, is accommodation. But most of them had, as I say, an annual—but they also had summer jobs and many had part-time jobs. I would say, on the record, that all five of mine came out of university at four years, not from a very middle-class family, a hard-working middle-class family, with probably \$5,000 or \$6,000 debt.

I think the minister is on the right track here by improving—one thing I would like to see is more harmonization with the federal government. But the minister has made it clear here that the maximum annual debt load—I think it's clear to have on record that 30% of the new tuition fee that's been deregulated has amounted to a significant amount of money, a portion of which—

**The Acting Speaker:** The member's time has expired.

The member for Toronto-Danforth has two minutes to respond.

**Ms Churley:** I want to thank all those who asked questions and made comments after my 20-minute speech, but right now I want to do something else. I'd like to move adjournment of the House.

**The Acting Speaker:** Ms Churley has moved adjournment of the House. Is it the pleasure of the House the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

Call in the members; this will be a 30-minute bell.

*The division bells rang from 2009 to 2039.*

**The Acting Speaker:** All those in favour will please stand and remain standing until counted by the Clerk.

All those opposed will please stand and remain standing until counted by the Clerk.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 0; the nays are 31.

**The Acting Speaker:** I declare the motion lost.

Further debate?

**Mrs Tina R. Molinari (Thornhill):** It's a pleasure for me to speak tonight on Bill 19, An Act to amend the Ministry of Training, Colleges and Universities Act. I want to begin by congratulating the minister for all the work she's done to bring this bill forward, because in essence it's a very important bill for us to be passing here tonight in this Legislature.

Our government's commitment to accessible post-secondary education in Ontario is spelled out clearly on page 45 of our election platform, which states, "We commit that every willing and qualified Ontario student will continue to be able to attend college or university." It's a commitment we made in the 1999 election in our Blueprint document. This is a government that keeps our promises.

In other words, if students earn high marks and have the desire to go to college or university, this government is prepared to make the costs accessible. This legislation is an important part of our work to fulfill that promise. It does so because it makes it easier for students to access, receive and repay student loans.

While this makes it a good piece of legislation, it is only part of this government's efforts to ensure that university and college education is accessible for Ontario students. As I and my colleagues on this side of the House will demonstrate, it is part of a broader effort involving increased public investment, greater accountability and improved collaboration with educators and private sector partners to ensure accessibility.

Bill 19 is a necessary bill for us to do the loan harmonization act, which is necessary for everyone in Ontario, primarily our students. As members may recall, the Ontario government signed an agreement in May 1999 with Ottawa to move forward with the harmonization of federal and provincial student loan programs. We entered into this agreement to improve services for students, reduce the number of defaults and increase accountability in the administration of student loans.

While all provinces outside of Quebec will need to make arrangements for this change, Ontario will be the second jurisdiction to realize a harmonized loan arrangement with the federal government. Certain members of the Liberal Party have made accusations that our government has not moved quickly, and so I'm happy to point out that Ontario has been a leader in taking advantage of student loan harmonization with the federal government.

Since the agreement was signed, however, the national banks have determined that they are no longer willing to be involved in the delivery of student loans. As a result of that decision, jurisdictions across Canada must establish alternative ways to ensure that students continue to

receive the assistance they need to pursue their goals in post-secondary education. Clearly Ontario must do the same if we are to ensure that students have the necessary funding to complete their studies.

Last year more than 170,000 Ontario students received help from the Ontario student assistance program. We must ensure these funds remain available to those who need them. The federal government has passed legislation that gives it the authority to introduce a direct loan program for the Canada student loan portion of student assistance. That program will be delivered by independent service providers under contract to the federal government. There are provisions in the contract for the provinces to use the same service providers.

The legislation we are discussing today would, if passed in the Legislature, provide the Ontario government with the authority it needs to implement its agreement with the federal government for joint administration of the Canada and Ontario student loan programs. This means better service for students. For example, student loan certificates will be provided through financial aid offices in colleges and universities. As is the case today with Canada student loans, students would be able to take the loan certificates to a student loan kiosk on campus or to a Canada Post outlet. Funds would then be deposited directly to the student's bank account.

Under a harmonization agreement, students who need help repaying their loans will be eligible for up to 30 months of interest relief. That's an improvement over the current 18-month period. An example of enhanced service is that borrowers will be contacted by the service providers at least twice a year to give them information about repayment or changes to the plan and to allow borrowers to update their information, such as addresses and phone numbers. This is a higher standard of service that is currently in place for students and will help everyone—students, government and service providers—improve the efficiency and administration of Ontario student loans.

With respect to student assistance, this government has put in place a number of student assistance programs that help students in financial need access post-secondary education. For example, we established the Ontario student opportunity trust fund program, where the province matched contributions from institutions and private partners to establish endowment funds at Ontario institutions. Some 17 universities and 25 colleges participated in this initiative, and the result was the creation of a permanent trust fund with a total value of \$600 million. These funds will provide assistance for up to 185,000 students over the next 10 years and even more in the years ahead.

We introduced annual student grants to reduce student debt. The Ontario student opportunity grants program forgives student loan debt that runs to over \$7,000 per year of study. Unlike the previous government's arrangement, we ensured that these funds are paid to students annually, instead of at graduation. Approximately 39,800 students benefited from grants last year in our province, and Ontario student opportunity grants are an important

part of our government's continuing work to reduce student debt.

Where institutions have chosen to raise tuition fees, our government has insisted that 30% of revenues from increased tuition be dedicated to help students in need. Last year, 92,000 Ontario students received assistance from the tuition set aside in the form of bursaries, scholarships, work study and summer jobs. This initiative alone represents an anticipated \$125.3 million of financial help for students in the years 2000-01 and gives institutions the flexibility to meet the particular needs of these students.

For students leaving secondary school for the first year of study, we have introduced the Aiming for the Top scholarship program. Winners of Aiming for the Top scholarships can receive up to a maximum of \$3,500 per year toward post-secondary tuition. Students who maintain an 80% average can continue to receive these tuition scholarships for up to four years. To ensure that Aiming for the Top winners receive the full benefit of their scholarships, the government also increased the amount of scholarship money students can earn before their Ontario student assistance program assistance is affected.

More than 4,000 scholarships were awarded last fall. When fully implemented, \$35 million annually will be invested in these scholarships to recognize academic excellence and financial need.

It has been a true pleasure to speak on this bill this evening. I encourage all the members in the House to support this bill. Once you read it, I believe you will support it.

2050

**The Acting Speaker:** Comments and questions?

**Mr Bradley:** One of the concerns I have is the millennium scholarship. I'd like the member to tell me what happened to the money from the millennium scholarship, because the federal government provided millennium scholarships for a number of students in this country. What seems to have happened in Ontario is that the Ontario government took that money. Instead of that money being in the hands of the students, the Ontario government took the money. If the students were in debt at all, because they're going to get in debt trying to get an education in this province at the post-secondary level, they took the money away, and somehow the Ontario government has that money in their hands and the students did not benefit directly from it. So I'd be interested in how the member can justify that happening. I know the Minister of Training, Colleges and Universities will try to bail her out on this, but I don't think there's any explanation that you can give as to what they did with this particular money.

My second concern is how you expect people of modest means, particularly in communities outside of the large metropolitan areas or where there are teaching hospitals, to be able to enrol in medical school. There was a study done by the medical students at the University of Western Ontario which clearly demonstrates now that what's happening is that the large majority of the

students going into medicine are students who come from families where there's lots of money. That means that students who come from families without that kind of money have less of a chance. It also means it's less likely that many small towns and rural areas in the province are going to have students in medical school who will then be more inclined—there's no guarantee—to return to the community from which they came.

Those are two major problems; I'd ask the member to address them in her response.

**Mr Marchese:** Just to remind the member for Thornhill and the minister, \$1.2 billion has been taken out of the post-secondary education system. That's a whole heap of money, in a good economy, to take out. What are they going to do when the economy dips a little bit, or a lot? Where are they going to find the money to help post-secondary education? Where are they going to find the money to help the health care system and the elementary and secondary school systems? Cumulatively more in a good economy, 1.2 billion bucks.

The minister proudly says, "No one will be shut out; they will be provided for." But she doesn't understand that we're dealing with the middle class, not just people who are poor. Forget about those who are poor, because in a class society such as ours the poor are still not making it to university. The majority of people who go to university are working people and the middle class and the upper-middle class, not the poor poor.

The majority of these young middle-class men and women are getting no help from this government. Some of them are getting loans, this is true. But that's all you get. It's a hefty loan you've got to pay. It's a hefty debt burden you've got to pay back. If you are in the deregulated programs, where the tuition fees have just skyrocketed to the point of 500% in some of those programs, can you imagine paying those kinds of fees? But the minister says, "Don't worry, if you're going to become a doctor, you'll be able to pay it off. Don't worry, come on in."

The point is that a whole lot of people are being excluded and shut out. She knows it, but she's got to blah, blah, blah her way through, saying, "We support everybody. There is space for everybody." Tuition fees have skyrocketed 60% in the general programs and skyrocketed through the roof for the deregulated programs.

**Hon Mrs Cunningham:** The millennium bursary has come into question, and my colleague from St Catharines has asked some questions, and I can understand that he may in fact be confused. It's a very difficult program, because it was negotiated by the federal government with the provinces, but in Ontario's case they actually duplicated our grant program, which was called the Ontario student opportunity grant.

So I will say that this year, in 2000-01, over 35,000 Canadian millennium bursaries were awarded to Ontario residents. They were for \$3,000, and they were paid by cheques to students, which was different in the first year. It will reduce the students' 2000 debt.

In November 2000 we transmitted some 35,000 students to the foundation. It is a federal foundation that has

been set up. Each of these students had met the eligibility criteria established by the foundation. The year before, it was much later when we were able to do that. It was the first year that it was operating. The cheques were sent out to financial aid offices in December 2000 but were distributed to students starting in January 2001.

So I think the point is that we had a program that was designed unilaterally by the federal government. We had to work with them and what we decided to do was to allow the federal government to give out what they called a scholarship, which is not a scholarship; it's a bursary. So we've actually changed the official name. The students get the cheques now, and for students who didn't have a net gain we added \$500 to their cheques.

This is a cost of some \$10 million to the government of Ontario, to make that federal design fair and equitable to students who would have had the money anyway. So I think it's working now, and there's always room for improvement.

**Mr Caplan:** A few comments and a question for the member from Thornhill. First of all, regardless of the rather long-winded explanation from the Minister of Colleges and Universities, the fact remains that the federal government set up a program in order to help and assist students. The fact remains that it was the Ontario government which took and applied those dollars to student loans and clawed it back, no different than what happened with the federal program to help working families with child care, where the Minister of Community and Social Services took the same approach that, as the federal government gives with one hand, the provincial government takes with the other. So I would ask the member from Thornhill to please comment on the appropriateness of those actions by the Harris government.

There is one further area I'd like the member from Thornhill to comment on in her response. About four or five weeks ago there was a story of a young woman who, through terrible circumstances, was totally cut off social assistance by the Minister and by the Ministry of Community and Social Services. The reason and the heinous crime was that this young woman, who was trying to better herself, had taken out a student loan, was accumulating debt for her education. Because of the non-disclosure of that, the Minister and the Ministry of Community and Social Services completely cut this woman off from any assistance at all.

So I'd like the member from Thornhill to please comment on whether or not she feels that it's appropriate for this government or for any government to push people who are obviously trying to better themselves, obviously trying to get out of any kind of a cycle of dependency, to push them off entirely and cut them off from any support at all.

**The Acting Speaker:** The member for Thornhill has two minutes to respond.

**Mrs Molinari:** I'd like to thank the member from St Catharines, the member from Trinity-Spadina, the Minister of Training, Colleges and Universities, and the latest

speaker, the member from Don Valley East, for entering in this debate.

I want to first thank the minister for the excellent response to the question that was raised with regard to the millennium fund. Certainly this minister has been very committed to the students in the province of Ontario, and it's demonstrated with all of the work that she's done through the bills that have been introduced in this Legislature.

**2100**

I want to also comment on some of the Liberals' comments. When they were in power they raised tuition fees constantly. The member from Don Valley East doesn't have the facts accurately, obviously, because he's bringing out information that is not factual. It's evident that he doesn't have all of the information, or maybe he didn't do the research to get the facts right. With respect to the specific case that he cited, if there is a specific case, then he should bring it forward to the appropriate ministry so that it can be looked at, because we are here to help all the students in the province of Ontario. It's easy enough for them to stand up and talk about some case and give only parts of the information and not the full story and then have people at home believe that what they're saying is in fact true, and meanwhile it's not. There's a lot more to every situation than what they bring up. So, if there are situations like that and they're brought to the attention of the appropriate ministry, we certainly, as a government, are concerned about the students in the province of Ontario.

We have done more to put student assistance than any other government has ever done. This minister is very committed to all of the students in the province of Ontario to ensure that they get a good post-secondary education.

**The Acting Speaker:** Further debate?

**Mr Bradley:** Well, the first note I would have is my disappointment that the banks would be abandoning students at their greatest time of need and want to withdraw from student loans. I don't think the banks withdrew from loans to people like those who financed Canary Wharf and other major multi million-dollar projects that lost money, that went bankrupt, that left a lot of people out in the cold. I don't think the banks refused to loan funds to those who are looking for those hundreds of millions of dollars' worth of loans, but they're ready to put the boots to the students when they recognize that the repayment isn't what they would like it to be.

This is all in the context, of course, of unprecedented huge bank profits. We certainly cannot accuse them of being social service agencies, though they've never really, I guess, claimed to be that. In fact, I thought that with the new increases in bank service charges, perhaps they were going to use that money to assist students and to assist others in need, but apparently that's going into the coffers of the banks for profit purposes.

These are the same banks, of course—even if the students wanted to have some personal service—that are cutting back on hours. I can remember the Royal Bank at

the Grantham Plaza in St Catharines, not that many years ago—I'm going to say half a dozen, maybe seven years ago—when the trust companies and the credit unions had very good hours. They went from 8 o'clock in the morning to 8 o'clock at night, Monday to Friday; 9 o'clock in the morning to 5 o'clock in the afternoon. Those hours are gone, history, past.

You can't get to a bank any more where you can get teller service until at least 9:30 in the morning. Most of them are cut off—well, in downtown Toronto, you're cut off at 4 o'clock. I guess they think people disappear after 4 o'clock. But we've seen a contraction of bank hours; in other words, hours where people can have a discussion with a human being on the other side of the teller's wicket as opposed to simply putting a card into a machine and dealing with an impersonal machine. So the banks certainly do not, for those reasons, rank very highly with me.

I like the fact that some of my constituents have phoned me about the Province of Ontario Savings Office to say what a good service it was. Of course, in the last budget, in their obsession with privatization, the government is selling off the Province of Ontario Savings Office, which has served people so well.

I want to focus in on access to education. One of my greatest concerns is that there are a lot of students out there who are not going to have easy access to post-secondary education.

Back in the 1940s, I guess, and to a certain extent the 1950s, the very brightest students and the very wealthy were able to access post-secondary education because of their marks and the scholarships they could earn. However, those who didn't have the very highest of marks or were not wealthy were left on the sidelines so very often.

According to, I think, reliable statistics, we're heading back in that direction: people, not necessarily the very poorest people, but people who are simply from working families that have a modest income are finding it increasingly difficult to get a post-secondary education without the students putting themselves into huge debt or parents having to manipulate their figures in such a way as to have their students and their family get that kind of loan.

Tuition fees used to cover about 17% of the cost of education in post-secondary level; that's now up to 40%. That's very high. That's very substantial. I'm not suggesting, because I think it's unrealistic to do so, that you can have zero tuition. I have seen that broadcast as a policy in other places by other parties. I don't think that's achievable. What I do think is achievable, however, is that we reduce the percentage that tuition would cover of the total cost of education.

That requires an investment on the part of this government in post-secondary education, but the investment I see is \$2.2 billion to the corporations. It would be different if the corporations were in dire straits. They're not. There will be no tag day for any of the corporations or their presidents. We're very competitive in Ontario right now with adjacent states in terms of our taxation, both for

Ontario and Canada. Yet we want to keep going lower and lower, never recognizing that the Americans will do the same until we reach a point where corporations pay no taxes at all. I think we should forgo that \$2.2 billion to the corporations.

I also want to mention that tuition fees have been hiked, I think, 45% since the 1995-96 fiscal year. Look at this in the context that we're in low inflation times. When the two previous governments were in power, because of national policies and international circumstances, we had relatively high inflation, particularly during the Mulroney years but also during some of the Liberal years. There was pretty high inflation. So one could say that tuition hikes were simply keeping up with inflation. There has been no excuse for that this time other than to bleed more money out of the students and allow the government to give tax cuts, which tend to benefit in a gross sense the most wealthy people in our province.

**Mr Caplan:** And the banks.

**Mr Bradley:** And of course the banks.

I'm worried about access to such things as medical school, law school and MBA programs. I think they're becoming a reserve of wealthy people or of very bright people who have access to scholarships and other financial assistance. We have to remember as well that rent controls for all intents and purposes are gone in Ontario, particularly for students, who tend to move year after year. Now when an apartment or a rental property is abandoned—in other words, the lease has ended—the landlord can put the price up to whatever the landlord deems appropriate. I won't get into the philosophical argument on that, but I want to say that the impact on students is dramatic because they have to pay out dramatically more funds for the purpose of accommodation.

The price of food is not going down, the additional fees or special fees at university continue to go up and the cost of books and other equipment is up, so these students are in dire straits in some circumstances—not all, but in some circumstances they are struggling to make ends meet.

Colleges and universities are short of the kind of funding they need. The state of Pennsylvania in its advertising now does not say, "Come to Pennsylvania because we have the lowest taxes in the world"; they say, "Come to Pennsylvania because we have an outstanding education system, a huge investment in post-secondary education and we're producing so many engineers, so many doctors, so many lawyers, so many whatever." That's a good thing for them to be doing. I think we should be doing that.

I thought that getting rid of grade 13 was not a good idea. I know some people think it's a good idea. I thought that in Ontario we had something pretty unique. It allowed the students another year to mature. It allowed students to be better prepared for going to post-secondary education, particularly to university and particularly when they were leaving their own community to do so. I thought we had something unique here. Liberals didn't put it in effect, I don't think; it was probably a Conserv-

ative government a number of years ago. Grade 13 was good.

My theory would be, and I think it's a pretty reasonable theory, that one of the compelling reasons for the government to eliminate it was that they wanted to save money. They knew that since students have to pay for post-secondary education, or at least a significant portion of it, they could save money. I think that was a retrograde step. I really think grade 13, or the OACs as we call them now, was good. Some students could still accelerate if they were bright and hard-working and could get through in less than the five years, but I thought that was a good policy.

I have heard that \$1.2 billion has been taken out of the post-secondary education system in Ontario. I don't think that's good. I don't consider it an expenditure. I consider it a good investment. We've got the double cohort coming; that is, students from the grade 13 year as it is eliminated and the grade 12 year heading into universities and colleges at exactly the same time. There is going to be a need for a renewal of faculty and additional costs to those universities.

I support this piece of legislation. I make no qualms about that. This is a relatively simple housekeeping bill. I want to state that, and I think it's reasonable that we should all be supporting it in this House. But I did want to indicate on behalf of my constituents, many of whom are concerned about the increasing costs of education and the accessibility and the equipment and the space available in colleges and universities, that there is a problem out there that has to be addressed. I think all people in this province would support this government for a greater investment in post-secondary education.

2110

**The Acting Speaker:** Comments and questions?

**Mr Bisson:** I know the member only had 10 minutes to speak and he wanted to speak on a number of issues. One I'd like to question him on is this: I remember when this original bill came to the House, I believe it was in the former Parliament of 1995-99, and the government said, "We are going to privatize the collection and administration of OSAP." The reason they said they were going to do that was (a) they were going to save money and (b) they were going to be better at collecting defaulted loans; and because of the increased collection of defaulted loans, the private deliverers, who are much smarter and much better than the public sector, as they like to make us believe, would be able to make a profit and everything would be better.

I want to hear from the member from St Catharines if he remembers the debate back then, because I remember as a New Democrat standing here in the House with my colleagues and saying, "You're not going to do any better on the collection of defaulted loans because there are certain facts that have to play as to why those loans go into default. There is not going to be enough money for the private sector to make a sufficient profit for them to stay in the business." In the debates we said, "You're wrong. You shouldn't do this because at the end of the

day, it's not going to work. You're going to have to bring it back into the public sector." The other point we made was simply that in the end it was going to be the students who were going to get hurt. It would be nobody else but the students who would get hurt with the original piece of legislation.

Here we are some years later—I think it's about four years since we've done this—and we're now back here in the House introducing legislation that I think I want to support. I want to have a little bit more debate on this, just to make sure there's nothing in here that is problematic, but as I understand it, the government is re-nationalizing what is a private sector activity that they privatized four to five years ago. I want to say to the government that if you want to re-nationalize those things, there are other things I want you to re-nationalize. Ontario Hydro would be a good start, and a whole bunch of other services that you privatized, because in all those cases we haven't saved a heck of a lot of money either.

**Mr Doug Galt (Northumberland):** I was interested in the very good presentation of the member from St Catharines. I also appreciated his comments that he recognized this bill as a housekeeping bill and is supportive of it. I think that's tremendous on his part.

One thing that did bother me about his comments was grade 13. He said a lot of good things about grade 13. Of course there has been good material in grade 13 or, as they now refer to it, some of the OAC subjects, but I've been on a campaign now for about 45 years to get rid of it. When I first arrived at the Ontario Veterinary College back in September 1957, I found that, from every other part of Canada, my other classmates came there from grade 12, and I had grade 13, as did others from Ontario. It really bothered me as to why. My roommate from Montreal had gone to McGill for one year. He went to McGill out of grade 11 and got a year at McGill and then was admitted to the veterinary school.

I have to admit that at the end of the first year, it was a lot of the grade 13s from Ontario who failed out, but not so from other provinces. They did exceptionally well with a year less in their schooling. We spent another year in our school system and when we arrived, all on a common base, we from Ontario did not do as well as those from other high schools across Canada. I was very disappointed. We're using up an extra year of young people's lives when they could be out and quite productive, and when that's exactly what's going on in other provinces. Even several valedictorians from Ontario who had come from their respective high schools to the veterinary school at that time failed out. The failure rate was pretty high. It was well over one third at the end of the first year. I just can't support his comments on grade 13.

**Mr Caplan:** The member from St Catharines, Mr Bradley, is quite right. He makes many good points. In fact he says, "Yes, this is a good idea to harmonize the Canada student loan program, the Ontario student assistance program, and we support that." Of course we do. But when you look at what is causing indebtedness and the reason behind it, the skyrocketing tuition, as opposed

to putting money toward helping students, the priority of the Harris government is to have an irresponsible corporate tax cut.

Bradley is quite right when he says that the lack of affordable housing and the misguided housing policies of the current government are much to blame for the rapidly rising cost of buying shelter, if you can even find it.

I look at communities like Guelph. Guelph has one of the lowest vacancy rates in Ontario. There is nowhere for students to live. They couldn't even find it if they could pay more, and they can't, because Guelph has a truly difficult problem when it comes to finding affording housing. It affects the entire community, but for students—and for seniors, for that matter; I wouldn't want to leave that out—it is most acute. They move around from place to place—

**Hon Brenda Elliott (Minister of Intergovernmental Affairs):** Get the whole story out.

**Mr Caplan:** I hear the member from Guelph. She's obviously heard a great deal about this from her constituents, because she can't help her constituents find very-much-needed places to live. I know her frustration must be so incredibly large.

I see the member from Kitchener-Waterloo—a 0.6% vacancy rate. In fact, you had the dean of the University of Waterloo send a letter to every employee asking them if they would take a student into their own private homes. The member would remember that. There is an acute shortage of housing which contributes to and compounds the problems that students are facing in Ontario.

**Mr Kormos:** I want to address the comments made by the member from St Catharines, but first I want to let folks know that next in rotation will be the member from Nickel Belt speaking to this matter. Unfortunately, there are still several members of this caucus who want to speak to the bill. We won't be given that opportunity this evening, so we look forward to the next occasion on which the bill is called by the government House leader or whip or deputy whip or deputy House leader, whoever among the government caucus has responsibility for calling orders of the day on that given day.

I know the member for St Catharines's strong interest in student housing. He has always encouraged me in the problems around student housing. The member has always encouraged me to get out there, because most of it falls just below the line into my riding. Mr Bradley has enthusiastically pushed me into that situation and assured me that any help he can give me, he is prepared to. He is there behind me and I appreciate that.

There are many issues around the area of student housing. Let me tell you folks, there are many issues around the area of student housing and I appreciate the incredible support, the moral support that the member from St Catharines gives me, and the direction and guidance as I deal with those issues of students. I appreciate that. He has a great concern but, fortunately or unfortunately, I'm sure he wishes that more of the student housing was in his riding, his part of the city of St Catharines. As it is, most of it, if not all of it, falls in my part

of the riding. But I do thank the member from St Catharines for his incredible support around that issue.

I'm looking forward to the member from Nickel Belt's comments. I'm looking forward to the chance to have my time on this floor to address this bill. Unfortunately it won't be tonight. The member from Timmins-James Bay is looking forward and the leader of the party is looking forward and several other members—

**The Acting Speaker:** Thank you. The member for St Catharines has two minutes to respond.

**Mr Bradley:** Thank you very much for the opportunity to respond to my colleague from Timmins-James Bay. He is absolutely right that in so many instances where privatization takes place, it doesn't work out. Some places it can; some places it won't. I'm thinking of another right now in terms of trying to privatize the testing of drivers in Ontario. That can't possibly work out, in my view. We're better simply to invest the necessary staff and funding into the present system.

To the member for Northumberland, I guess everyone has a different opinion. I've talked to some people who have gone to be professors in the United States who are quite impressed with the quality of students who have grade 13 and go to the US; also to a number of other professors who believe—and I realize there's divided opinion—that extra year in secondary school is very helpful to those students. Some, as I say, may proceed in a very short period of time and that works out. This is something that every government talks about, abolishing grade 13, and it is going to happen.

2120

**Hon Mrs Cunningham:** Only in Ontario.

**Mr Bradley:** No, in Ontario; every Ontario government. But I just happen to have that preference.

The member for Don Valley East recognizes that you can understand why the federal government wants to make direct payment, in other words, a program that goes directly to students or anybody in the various provinces. Quebec was very angry about the millennium scholarship. Why? Because the federal government, the government of Canada, would get credit for that scholarship. The member for Niagara Centre knows I'm behind him 100% in his efforts to deal with very difficult student housing problems he confronts in the riding of Niagara Centre.

**The Acting Speaker:** Further debate?

*Interjections.*

**The Acting Speaker:** The third party will be skipped in this rotation.

**Mr Jerry J. Ouellette (Oshawa):** I very much appreciate the opportunity tonight to speak on Bill 19, as I'm sure there are so many individuals who have such strong concerns about this. I know my neighbours will be watching tonight, so to them I say hi, as I usually do.

I'm surprised that the third party was so eager to jump up tonight after what we saw earlier on. I thought, from what we were seeing, that they felt there was enough debate on this that they wanted to bring closure to it by bringing adjournment of the House. But quite possibly it

was only certain individuals of that particular party who wanted that.

Back during the third party's term, I was on the board of governors for Durham College. I remember that one of the third party's positions, when they were in government was brought forward and highlighted within the local community college when the students got together about a program called Raise Your Hand. That was about the third party raising the tuition fees so much that the students felt they had to start a program that would address the issue. It was called Raise Your Hand, where everybody traced out their hand, signed it and then sent it off to the Premier of the day, Bob Rae. They had some pretty strong concerns about that.

A year ago, the banks were pulling out of the program dealing with student loans. They made that perfectly clear. It was quite surprising that they would do that in that I don't know why the banks would worry about it when the province was guaranteeing the loans. Our perception was that they didn't want to deal with the default aspect. The province, though, was guaranteeing those loans. To me, the businesses or the learning institutes that came in and saw me made it quite clear that the banks' position appeared to be that the loans were good business for them because they had a guaranteed payer, the taxpayers of Ontario. So it was quite a surprise to me to hear that the banks were pulling out of the loan program. What Bill 19 does, as I'm sure most of the people who've been following on a regular basis know, is allow the province the ability to arrange finance to guarantee those loans for students.

What we have here as well is a program that every six months allows a student making application under the programs to fill out documents that let them miss the interest on those loans because of financial difficulty. Not only that, but the period required to start the process has been moved from 18 months to 30 months and will come forward at 54 months, so that when a student graduates they have 54 months in total to look for an appropriate job that'll help pay it down.

One of the things that came forward that I had some concerns with was income-contingent loans. The income of an individual graduating and their ability to pay a loan was a pretty strong concern, but I believe that going to the 54-month period will address that issue and will give the student enough time, with the six-month deferrals, to

make sure they've got enough income to pay those loans off.

Also, where the federal and provincial governments had their separate loans, we now have a one-window approach where they can come in and fill out one loan application. At the local college, I have to congratulate Bonnie Ginter-Brown, who worked in the student office for quite a while and assisted in many areas. She recently retired; I believe June 7 was Bonnie's last day. She worked very hard in that area. Students would come in, whether to the local colleges or universities or the CDI, Career Development Institute, or the Toronto School of Business, and they would take care of the aspects of filling out all the applications. A lot of the students weren't fully aware of the process and what they were applying for until it came time to pay, and then, when they found out they had a federal loan and a provincial loan, it was a bit of surprise. What we have now is a one-window approach for both, even though the feds' payment is 1% higher than the province charges on their interest rates. The federal government apparently charges 1% more than what we are putting forward. The difference is that when the payments come about there will be two sets of books available but it's only one payment the student makes. It's a far simpler, one-window approach that makes life a little bit easier. There are 170,000 to 185,000 students receiving loans in the province of Ontario, for a total of about \$1.2 billion annually.

Most students when they're in school say, "My tuition's covering the cost of school. Why is it going up more?" A lot of them don't realize that tuition costs, on average, only cover about 35% of the cost of a student going to school. The taxpayer picks up the other 65% in paying for those students going to school, which is quite surprising to a lot. Back in 1990, when I was on the board, that was a common question about the fact that their tuition covered the cost. In reality, it only covers now an average of about 35%.

Our agreement with the feds gives us full authority as a service provider. This means is that we as a province can provide enough of the information—I'm getting the signal here. Is that for me? OK. Thank you, Mr Speaker.

**The Acting Speaker:** It being almost 9:30, this House stands adjourned until 10 am tomorrow.

*The House adjourned at 2128.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

## CONTENTS

Wednesday 20 June 2001

### SECOND READINGS

#### **MPP Compensation Reform Act**

(Arm's Length Process),

**2001**, Bill 82, *Mr Tsubouchi*

Mr Marchese..... 1733, 1737

Mr Wettlaufer ..... 1736

Mr Duncan..... 1736

Mr Bisson ..... 1736

Mr Baird ..... 1737

Vote deferred ..... 1737

#### **Ontario Student Loan Harmonization**

**Act, 2001**, Bill 19, *Mrs Cunningham*

Mr Caplan.... 1737, 1740, 1747, 1749

Mr Bisson ..... 1739, 1749

Mr Curling..... 1739

Mr Kormos ..... 1740, 1750

Mr Lalonde ..... 1740

Ms Churley ..... 1741, 1744

Mrs Cunningham ..... 1743, 1746

Mr Bradley... 1743, 1746, 1747, 1750

Mr Marchese..... 1744, 1746

Mr O'Toole..... 1744

Mrs Molinari..... 1745, 1747

Mr Galt ..... 1749

Mr Ouellette..... 1750

Debate deemed adjourned..... 1751

## TABLE DES MATIÈRES

Mercredi 20 juin 2001

### DEUXIÈME LECTURE

#### **Loi de 2001 portant réforme**

**de la rétribution des**

**députés (processus sans**

**lien de dépendance), projet**

de loi 82, *M. Tsubouchi*

Vote différé ..... 1737

#### **Loi de 2001 sur l'harmonisation**

**des prêts d'études de l'Ontario,**

projet de loi 19, *M<sup>me</sup> Cunningham*

Débat présumé ajourné ..... 1751

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Second Session, 37<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Deuxième session, 37<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Thursday 21 June 2001**

**Jeudi 21 juin 2001**

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers



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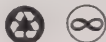
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 21 June 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 21 juin 2001

*The House met at 1000.  
Prayers.*

### PRIVATE MEMBERS' PUBLIC BUSINESS

#### FRANCO-ONTARIAN EMBLEM ACT, 2001

#### LOI DE 2001

#### SUR L'EMBLÈME FRANCO-ONTARIEN

Mr Lalonde moved second reading of the following bill:

Bill 18, An Act to recognize the emblem of the Ontario French-speaking community / Projet de loi 18, Loi visant à reconnaître l'emblème de la communauté francophone de l'Ontario.

**The Deputy Speaker (Mr Michael A. Brown):** The member has 10 minutes for his presentation.

**M. Jean-Marc Lalonde (Glengarry-Prescott-Russell) :** Mr Speaker, let me begin by thanking the member for Ottawa West-Nepean as well as the member for York Centre for their willingness to change ballots for private members' business, which allows me to rise before the House today and to speak on a very special topic that is close to my heart, as well as the heart of all francophone communities across Ontario: the Franco-Ontarian emblem.

J'ai eu le plaisir de présenter le 26 avril dernier le projet de loi visant à reconnaître l'emblème de la communauté francophone de l'Ontario. Le drapeau franco-ontarien fut dévoilé pour la première fois le 25 septembre 1975 à l'Université Laurentienne de Sudbury, et depuis ce temps est utilisé pour représenter la communauté francophone avec fierté et dignité.

Les Franco-Ontariens sont très fiers de leur emblème, qui est preuve de leur héritage culturel. J'aimerais rendre hommage aux concepteurs du drapeau : Gaétan Gervais, Michel Dupuis, Yves Tassé et tous les étudiants et étudiantes de l'Université de Sudbury qui ont mis la touche finale à ce drapeau. Merci pour votre contribution éminente au sein de la communauté francophone de l'Ontario.

Before I carry on, let me take a brief moment to explain the significance of the Franco-Ontarian flag. This beautiful flag consists of two vertical bands of different colours. The first band is mid-green and has a white lily in the middle of the band. The second band is white and has a mid-green trillium in the middle of the band. The

green represents the summer, and the white represents the winter. Together, the two colours symbolize the diversity of Ontario's climate. The lily depicts francophones across the planet, whereas the trillium is the official floral emblem of Ontario.

La langue française est présente en Ontario depuis plus de 350 ans, et la communauté francophone de l'Ontario compose la communauté francophone la plus importante au Canada après celle du Québec. Les premiers francophones qui se sont installés dans le territoire de l'Ontario furent les missionnaires qui établirent la mission de Sainte-Marie-au-Pays-des-Hurons en 1639. Aujourd'hui, il y a plus de 500,000 Franco-Ontariens et Franco-Ontariennes et plus de 1,2 millions de personnes qui parlent français en Ontario.

My private member's bill, An Act to recognize the emblem of the Ontario French-speaking community, comes at a very important time for all francophones of Ontario. This Sunday, June 24, Saint-Jean Baptiste Day, is the official celebration of the culture and heritage of all francophones across Canada and the world. Furthermore, from July 14 through the 24th, Ottawa is hosting the fourth World Games of La Francophonie, where more than 50 countries are represented, having all in common the use of French. They have come together to compete in both cultural and sports events. This event is expected to attract more than 2,600 athletes, well-known francophone artists, and thousands of visitors, not to mention the economic benefit it will convey to the province of Ontario.

La vie culturelle et communautaire francophone en Ontario est en pleine effervescence. On y retrouve une vingtaine de centres culturels, six troupes de théâtre professionnel, et une vingtaine de troupes communautaires qui partagent à la grandeur de la province le talent et la culture des Franco-Ontariens.

L'ACFO, l'Association canadienne-française de l'Ontario, est la principale porte-parole des francophones de l'Ontario. L'ACFO est représentée dans 21 régions de l'Ontario et compte 25 associations affiliées.

D'autant plus, je suis extrêmement fier des plusieurs autres organismes provinciaux francophones tels que l'Assemblée des centres culturels de l'Ontario, l'Association française des municipalités de l'Ontario, l'Union culturelle des Franco-Ontariens, l'Association franco-ontarienne des conseils scolaires, les clubs Richelieu, l'Union des cultivateurs franco-ontariens, la Fédération des dames canadiennes-françaises, et j'en passe.

Mais ce qui me touche davantage, c'est l'importante présence de la jeunesse dans la vie communautaire et

culturelle francophone, par exemple, la FESFO, la Fédération de la jeunesse franco-ontarienne.

Aussi, j'aimerais souligner quelques activités notoires annuelles, culturelles aussi bien que sportives : la nuit sur l'étang à Sudbury, le Festival franco-ontarien à Ottawa, le salon du livre à Toronto, la galerie du mérite agricole franco-ontarien à Alfred, les jeux franco-ontariens à Toronto, et les tournois de hockey des écoles secondaires franco-ontariennes.

La fraîcheur et le dévouement de tous ces individus et de tous ces groupes m'inspire et me réconfort quant à l'avenir du français en Ontario.

For nearly 40 years, the province of Ontario has recognized the importance of serving its citizens in French upon request. According to Bill 8, the French Language Services Act, which was passed in this Legislative Assembly in November 1989, French services are now available in 23 designated regions of the province. For instance, I am delighted to share with you that in terms of education and training, the Franco-Ontarian flag flows as we speak at 12 French-language school boards; 358 French elementary and secondary schools; two bilingual universities, Laurentian and Ottawa; two bilingual university colleges, Glendon and Hearst; one agricultural college, the Alfred College; and three francophone community colleges, la Cité collégiale, le Collège Boréal and le Collège des Grands Lacs.

Monsieur le Président, collègues parlementaires, votre appui aujourd'hui du projet de loi visant à reconnaître l'emblème de la communauté francophone de l'Ontario serait un geste de reconnaissance remarquable pour la culture et l'héritage des francophones de l'Ontario. Une fois adopté, cet emblème servira à promouvoir la communauté francophone à vocation internationale et sera un outil puissant pour créer l'opportunité pour la province de l'Ontario aussi bien au niveau économique que culturel.

Je vous invite à partager avec moi ma vision d'une belle province, unifiée par toutes ses richesses culturelles et sa diversité.

Monsieur le Président, chers collègues, je suis fier de dire, je suis Canadien. Je suis Ontarien. Je suis un fier Franco-Ontarien.

Mr Speaker, members of the Legislature, I am honoured to say I am Canadian, I am an Ontarian, and I am proud to be a Franco-Ontarian.

**The Deputy Speaker:** I would like to welcome to the Legislature this morning a public school from Little Current, Ontario.

Further debate?

1010

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** Thank you, Mr Speaker, for looking in my direction.

I'm very pleased to join the debate with respect to the private member's bill brought forth by one of our more respected members, the member from Glengarry-Prescott-Russell, An Act to recognize the emblem of the Ontario French-speaking community.

I can speak to this bill very supportively. My family is originally from St Boniface, and it is a very strong French-speaking community in St Boniface, Manitoba. They have their heroes also in that area: Louis Riel, in particular, in terms of his work. He obviously was involved in the history of this country. On behalf of my father, I'm proud to speak on this bill.

As you know, there are more than half a million francophones in Ontario today. Francophones make up around 30% of the population in the northeast and 15% of the population in the east of this province. There are four bilingual universities and five French-language community colleges in Ontario. Our government created the 12 French-language district school boards in Ontario, and since 1998, francophones in this province govern their own schools and oversee the education of their children. There are close to 100,000 francophone students in Ontario at the elementary and high school levels, and there are about 450 francophone schools on which they proudly float the Franco-Ontarian flag.

Close to 1,000 students were at the eighth Franco-Ontarian Games, held this year in Windsor, Ontario, in honour of the Windsor Tricentennial, recognizing 300 years of the francophone presence in the Detroit area.

Francophones in Ontario have a rich cultural life, demonstrated by long-standing annual events, such as: Sudbury's Music Festival "La Nuit sur l'étang"; Radio-Canada's Ontario-Pop, a competition for aspiring talents; and Ottawa's Franco-Ontarian Festival, which is celebrating this year its 26th edition for a full month in honour of the Games of La Francophonie.

There's a tremendous heritage within my area, Simcoe county, with respect to Ste Marie-among-the-Hurons, which was the very first settlement founded 350 years ago in Midland, Ontario. When I was a young student, like the young students who are here today, I remember visiting that site when it was no more than an empty space with a number of wooden pegs identifying the area where they were going to build. I would say to the listening audience here today, if they haven't visited Ste Marie-among-the-Hurons, they have missed something, because it is a tremendous facility and brings out the culture and heritage that was brought to that area. It's something that's very special within not only my area of Simcoe county but also in the province. It's my honour, as I said before, to support the designation of a Franco-Ontarian flag as an official emblem for Ontario and to recognize that under this bill.

The member has put out a nice concise history in the preamble of the bill. I think it's very important to note that. Actually the preamble is longer than the sections of the bill. He's done a great job. But I think the intent, for anyone who understands legislation and what's trying to be accomplished here, is that the preamble is very important to the purpose of what my friend is trying to accomplish in terms of recognition for francophones in this province.

As you know, the recognition of the flag as an emblem is symbolic. There are other symbols of Ontario. The

eastern white pine, the loon and the amethyst have been declared the official arboreal, avian and mineral symbols of Ontario by the proclamation of specific acts: the Arboreal Emblem Act, the Avian Emblem Act and the Mineral Emblem Act, thus the name of the bill that's before us, the Franco-Ontarian Emblem Act.

I understand New Brunswick officially recognized its Acadian flag some years ago, and there have been some discussions in Saskatchewan to do the same, because there is a rich francophone heritage in the west. I've already mentioned the role Louis Riel played in that area many years ago in the history of this country.

I voice my support, and I thank you for allowing me to participate in the debate.

**M. Michael Bryant (St Paul's) :** C'est avec plaisir que je me joins au débat sur le projet de loi 18 présenté par mon collègue de Glengarry-Prescott-Russell, Loi visant à reconnaître l'emblème de la communauté francophone de l'Ontario.

This is a bill, as the government has said, as my colleague from Glengarry-Prescott-Russell has said, about symbols. It's an opportunity for the Legislative Assembly of Ontario to affirm our commitment to, and recognition of, the rights, policies and services that must be delivered to and the symbols that are important to Franco-Ontarians. This is about saying that Ontario's symbols include not just the ones mentioned already—the coat of arms, our flag, the white trillium, the loon, the eastern white pine—but it's also an opportunity for us to say yes, we're not just talking about the Franco-Ontarian emblem being an emblem that is the exclusive preserve of one sub-category of Ontarians; rather, we're saying your flag, your emblem is our emblem. It's a recognition of the importance Franco-Ontarians play in this province.

We've heard from one member of the government in any event who has expressed support for this bill. This government must speak, I think, quite loudly and clearly in favour of this. Yes, this is a symbol and an important symbol, but the government's record when it comes to francophone rights and Franco-Ontarians has been, with the greatest of respect, suspect, and this is an opportunity for the government to speak to those issues.

What am I talking about? Well, let's talk about Montfort Hospital. We all know it is essential for francophones in this province to have access to full health services in French and training in French for physicians and health professionals. Only the Montfort Hospital, a very unique institution in Ontario, can provide those services. It was with much shock that this province discovered in February 1997 that the Health Services Restructuring Commission ordered the Montfort Hospital to close. Thereafter proceeded a series of appeals by the francophone community seeking to enforce minority language rights, on the one hand, and unfortunately on the other side of the court was the government of Ontario.

I understand the government's position with respect to the court's role and the extent to which the court may intervene with respect to decisions of Parliament. I

understand that decision. It's an ongoing dialogue that goes on between the courts and legislatures. When, in November 1999, the Divisional Court overturned the HSRC's directions, the Attorney General of the day expressed dismay with what he referred to as "judicial activism." He said the decision, in his words, "raises issues of judicial activism, of judge-made law and what is the role of the courts and what is the role of Parliament and legislatures." Judicial activism was OK when the government was trying to strike down the federal gun control laws, but apparently judicial activism wasn't OK when the courts were intervening on behalf of minority language rights. It expressed a position which offended Franco-Ontarians, I think it's fair to say, and this ended up being compounded by the fact that of course it continues to appeal those decisions.

Then we had an opportunity with respect to the recognition of official bilingualism in the city of Ottawa. As we know, Mr Glen Shortliffe, the former Clerk of the Privy Council, delivered a report on municipal restructuring. On the topic of languages he recommended, "The city of Ottawa will be legislatively designated a bilingual city, with services to be provided in both official languages where warranted."

1020

To which the Premier said, "Forget it." The government said, "Let the local council decide." But this was an opportunity for the province of Ontario, for this assembly and this House to express its recognition of the importance of official bilingualism, and in turn the importance of its investment in the symbols, the policies and the services provided to Franco-Ontarians.

I see my time is coming to a close. The government has an opportunity today to speak to this issue in a way which diverges from the position they took on Montfort Hospital, which disrespected Franco-Ontarians' rights, which diverges from the position they took with respect to bilingualism in the city of Ottawa, which was again unsupportive of Franco-Ontarians' rights.

I thank my colleague from Glengarry-Prescott-Russell for giving us this opportunity to reaffirm our commitment to Franco-Ontarians by recognizing this important symbol.

**M<sup>me</sup> Claudette Boyer (Ottawa-Vanier) :** C'est vraiment avec fierté puis enthousiasme que je m'adresse à l'Assemblée législative ce matin pour appuyer le projet de loi 18 visant à reconnaître l'emblème de la communauté franco-ontarienne.

Je tiens d'abord à féliciter mon collègue de Glengarry-Prescott-Russell pour l'initiative de ce projet de loi.

Le drapeau franco-ontarien a été hissé pour la première fois en septembre 1975, au mât de l'Université Laurentienne à Sudbury. À peine deux ans plus tard, il fut adopté officiellement par l'Association canadienne-française de l'Ontario, connue sous l'ACFO, comme emblème de la Francophonie ontarienne.

Depuis ce temps, notre drapeau vert et blanc occupe une place d'honneur à tous les rassemblements des Franco-Ontariennes et Franco-Ontariens, que ce soit une

réunion annuelle d'un quelconque organisme francophone, une rencontre d'une ACFO régionale, un souper Richelieu ou à une manifestation quelconque. Nous en sommes fiers, et l'année 2000 a vu des célébrations de 25<sup>e</sup> anniversaire un peu partout en province.

Remember that it is in Ontario that we find the highest number of francophones living out of Quebec. We are more than 500,000, making this province a strong one from all points of view, be they social, cultural or economic. Moreover, let me tell you that hundreds of French-speaking new Canadians have chosen Ontario as their homeland.

For decades, the Franco-Ontarians have contributed to the vitality of this prosperous province. They have worked, raised their families, done volunteer work, served as members on boards of directors and on different committees and held political jobs. They have died in wartime. They are teachers, doctors, lawyers, miners, workers, plumbers—name them all. They manage commercial enterprises, farms and tourism centres. Some are even civil servants. They pay their taxes. They have taken their place in this wonderful and great province.

Tout ce qu'ils vous demandent maintenant, c'est une reconnaissance de leur présence dans la société ontarienne.

La reconnaissance officielle par ce gouvernement de leur drapeau serait un geste, croyez-moi, fort apprécié qui en dirait beaucoup sur la place qu'ils occupent présentement dans leur province. La reconnaissance officielle de leur drapeau enverrait un message très important, non seulement en Ontario mais au pays et dans le monde entier, surtout à la veille des Jeux de la Francophonie.

C'est vraiment une occasion idéal pour ce gouvernement de poser un geste significatif en signe de reconnaissance de la communauté franco-ontarienne, un geste qui voudrait dire que nous sommes une force vitale et vivante.

I sincerely hope that this House will vote in favour of this bill, a bill so important to this francophone community and, I say it again, a vital component of our province. Together, let us show leadership in officially recognizing the green and white flag of the Ontario French-speaking community as their emblem.

Monsieur le Président, j'ose me faire la porte-parole de ma communauté francophone en vous disant toute la joie et toute la fierté qu'elle éprouvera en apprenant que ce gouvernement reconnaît officiellement le drapeau franco-ontarien, l'emblème de la francophonie. C'est plus qu'un symbole ; c'est un investissement concret et essentiel dans l'avenir de l'Ontario. C'est un héritage à léguer à notre jeunesse, tout comme l'obtention de services de santé en français et de la formation en français pour les professionnels de la santé que seul l'hôpital Montfort peut offrir.

Thank you for your support.

**M. Carl DeFaria (Mississauga-Est) :** Je suis particulièrement sensible à la cause des Franco-Ontariens qui désirent faire reconnaître leur drapeau à titre d'emblème officiel. Ce drapeau dénote l'importance de la population franco-ontarienne dans l'ensemble de la province.

My experience as a member of the Ontario section of l'Association parlementaire de la Francophonie gave me an increased appreciation of the contribution of Franco-Ontarians to the culture and the economy of Ontario. L'Association parlementaire de la Francophonie is made up of delegates of 60 sections from Africa, Asia, Europe and America. In 1988, the Ontario Legislature became an official entity of la Commission des affaires parlementaires de l'Association parlementaire de la Francophonie. At present, 15 Ontario MPPs are members of the association, and one of the objectives of the association is to support the development and stabilization of democracy within the Francophonie.

At the Quebec summit later this summer, the APF agenda will include youth in French-speaking countries.

Je soutiens la désignation du drapeau franco-ontarien au sein d'une liste prestigieuse d'emblèmes.

En tant que député de Mississauga-Est, conseiller spécial du ministre des Affaires civiques et membre de l'Association parlementaire de la Francophonie, je soutiens la reconnaissance du drapeau franco-ontarien à titre d'emblème officiel en Ontario.

I am very proud to support this bill, and I would like to commend M. Lalonde for introducing this bill. I have three children, and they all went through the francophone system here in Ontario, particularly in Mississauga. My oldest son, Ryan, graduated from école René-Lamoureux and then graduated from école secondaire Sainte-Famille and went to York University and studied in the bilingual college of Glendon College and then went to the University of Ottawa and the faculty of common law in français. He graduated also in law and just completed his bar exams in the French section of the bar admission course in Ottawa.

My second son also went to école René-Lamoureux and école Sainte-Famille and graduated actually a few weeks ago in computer engineering at the University of Toronto. My youngest, my daughter, is still at école secondaire Sainte-Famille and she'll be completing her OAC next week and she'll be graduating and going into the bilingual Glendon College at York University.

1030

So this bill is something that I'm very proud to support, not just as a member but as a member who is very familiar with francophone issues and the contributions that have been made by Franco-Ontarians in Ontario and in Canada.

This emblem, as the preamble of Bill 18 indicates:

« La langue française est présente en Ontario depuis près de 350 ans. Les premiers francophones qui se sont installés dans le territoire de l'Ontario furent les missionnaires qui établirent la mission de Sainte-Marie-au-Pays-des-Hurons en 1639.

« La communauté francophone de l'Ontario compose la communauté francophone la plus nombreuse au Canada après celle du Québec. Le français est l'une des langues officielles du Canada. En Ontario, il jouit du statut de langue officielle devant les tribunaux, dans l'éducation et à l'Assemblée législative.

« Depuis près de quarante ans, la province de l'Ontario reconnaît l'importance de servir ses citoyens en français sur demande. C'est lorsque l'actuel article 5 de la Loi sur les services en français, loi qui est connue aussi comme la Loi 8, entre en vigueur en novembre 1989, que la province reconnaît que ses citoyens ont droit à ces services sur demande.

« Le drapeau franco-ontarien fut dévoilé pour la première fois le 25 septembre 1975 à l'Université Laurentienne à Sudbury. Depuis ce temps-là, la communauté francophone de l'Ontario l'utilise de façon soutenue comme son emblème. Il convient maintenant de le reconnaître officiellement comme emblème de cette communauté. »

That's why I'm very proud to support this bill and commend M. Lalonde for introducing it.

**The Deputy Speaker:** I'm going to try this again because the school from Little Current was not actually in the gallery when I welcomed them. D'Arcy Young and this group from Little Current public school, we're happy to have you with us today.

**Mr Rick Bartolucci (Sudbury):** I proudly stand in support of Bill 18, An Act to recognize the emblem of the Ontario French-speaking community, which was introduced by my fellow Liberal colleague, Mr Lalonde.

Speaker, I'm going to ask for the indulgence of you and the House because I want to display the flag as a way of educating the people of Ontario as to what the flag stands for, and it's best if I raise the flag and show the people. So with your indulgence and the indulgence of the House, I'd appreciate that.

This beautiful flag consists of two vertical bands of—

**The Deputy Speaker:** I'm going to have to ask for unanimous consent. Is there unanimous consent that the member be allowed to display the flag? Agreed.

**Mr Bartolucci:** Thank you very much, Speaker, and I thank the members of the House.

This beautiful flag consists of two vertical bands of different colours. The first band is mid-green; the second band is white. The first band has a white lily in the middle of the band and the white band has, of course, the trillium flower. The green represents the summer; the white represents the winter. Together the two colours symbolize the diversity of Ontario's climate. The lily depicts francophones across the planet and the trillium is, as we know, the official emblem of Ontario. I'll put it down now, and I thank the House for the indulgence.

I think it's important that we all support what this flag represents. The flag represents our ability to recognize each other's strengths and our ability to get along in our society, in our multicultural society, in our multilingual society, in a culture and in a society that is so diverse that we take the strength of each of our unique peoples, we put them together and we make Ontario strong. This is the intent of the bill. There's absolutely no question about that. I'm proud to be on this side of the House and to be a part of this House that will support Bill 18.

At the same time, in a very, very local way, I would like to thank Laurentian University—a bilingual univer-

sity, by the way; we are very, very proud in our community of our bilingual university—and the students who were finally chosen as the architects or the designers of the flag, and they were Gaétan Gervais, Michel Dupuis and Yves Tassé. I'd like to congratulate those people. When they first designed the flag, I don't think they understood the significance of what was about to happen several years down the road. This is a significant step in this province today. I think it's a significant step in this House.

I proudly stand in support of this bill. I proudly stand in support of the francophone community that I have in my constituency and certainly the constituency next to me, Nickel Belt, and in fact the huge francophone constituency that we have in northern Ontario. From a Sudbury perspective, I have to tell you that our francophones make significant contributions on an ongoing basis to the quality of life in our community. They do that in many different ways. They cover all the aspects. They work with everyone. We work together. We ensure that our community is strong because we respect each other, we respect each other's uniqueness, we respect each other's differences and we understand that through our uniqueness and through our differences we can come together. We are not a melting pot but rather a mosaic. I think it's so much more important for us to define ourselves as a mosaic as opposed to a melting pot.

We are proud of what makes us strong, not only in my constituency of Sudbury but in the province of Ontario and the country of Canada. So I say to the member, thank you for bringing this bill forward. I certainly support it.

**L'hon John R. Baird (Ministre des Services sociaux et communautaires (et ministre délégué au dossier de l'Enfance et ministre délégué aux Affaires francophones)) :** C'est un grand plaisir pour moi de parler du projet de loi de mon ami de Glengarry-Prescott-Russell. Je suis bien sûr très fier d'appuyer son projet de loi.

On sait bien que dans la province de l'Ontario on a la majorité des francophones hors Québec. Il y a peut-être des gens dans la province et en dehors du Canada qui ne savent pas cela, et que dans notre province on a 540 000 francophones dans toutes les régions. Dans la région de Prescott-Russell ils sont majoritaires, ou dans la région d'Ottawa, ou dans la région de Toronto, de Penetanguishene, de Welland ou du sud-ouest de la région, près de Windsor, dans le nord-est de la province, à Timmins et à Sudbury aussi. Bien sûr, la richesse de notre province est plus fort à cause de la contribution des francophones et de la vitalité de la communauté. Ce projet de loi reconnaît cette réalité de notre province.

Le gouvernement de l'Ontario a été très fier d'appuyer les Jeux de la Francophonie, qui recommencent dans trois semaines dans la ville d'Ottawa, où on va avoir la Francophonie de toutes les régions du monde : de l'Afrique, de l'Europe, de l'Asie et bien sûr de toutes les régions des Amériques. Le gouvernement de l'Ontario est très fier de travailler avec le gouvernement du Québec, le gouvernement du Canada et le gouvernement du Nouveau-Brunswick sur ce bon projet.

Le gouvernement travaille très fort pour les services pour enfants. La petite enfance est très importante pour tous les Ontariens et Ontariennes, mais c'est peut-être plus important pour les jeunes francophones, parce que le développement culturel et linguistique est peut-être un plus grand challenge pour eux que pour les autres. On travaille très fort comme ministre responsable de la petite enfance.

1040

Avec la création de 12 nouveaux conseils scolaires et l'équité dans le financement de l'éducation—c'est quelque chose qui est aussi très important.

Quand j'ai été nommé ministre délégué aux Affaires francophones de mon comté, on n'avait pas une école francophone, mais maintenant on en a deux à cause de ces changements. On a le collège Franco-Ouest de Bells Corners, qui est une nouvelle école secondaire, et une nouvelle école primaire à Barrhaven, l'école Pierre-Elliott-Trudeau, et on va voir que plus de jeunes francophones seront éduqués dans leur langue.

Je veux dire à la fin du débat que je suis très fier de travailler avec mon bon ami le député de Glengarry-Prescott-Russell dans ce projet de loi très important.

**M<sup>me</sup> Sandra Pupatello (Windsor-Ouest) :** Je suis très contente d'être ici aujourd'hui pour me joindre au débat sur l'emblème pour la communauté francophone.

Ce n'est pas une surprise, parce qu'il y a beaucoup de francophones dans ma circonscription de Windsor et dans le comté d'Essex aussi. En plus, il y en a beaucoup qui parlent la langue française même s'ils ne sont pas francophones. Les francophones de Windsor sont fort fiers et très engagés dans le travail de maintenir la culture, la langue et l'histoire de la communauté. Je suis fière aussi de participer aux activités organisées à la Place Concorde, le centre de la Francophonie à Windsor.

Depuis les six dernières années que je suis ici comme députée, c'est la première fois que je peux faire voir, comme députée, que je supporte la communauté francophone. C'est incroyable. Après six années c'est la première fois que nous avons, dans la province de l'Ontario—une province qui est bilingue—l'occasion de voter pour faire voir que nous sommes dans une province bilingue.

C'est pour cette raison que nous avons des immigrants qui viennent de partout dans le monde avec la langue française et qui peuvent trouver une place confortable entre nous et tous les services du gouvernement en français, même dans ma circonscription.

Alors, pour ça, je dis à mon collègue Jean-Marc Lalonde de Prescott-Russell, félicitations aujourd'hui, et merci pour avoir donné l'occasion à tous les députés de l'Ontario de dire aux francophones qu'ils sont une partie très importante du « fabric » de l'Ontario.

I want to say to all the francophones who come from my area of Ontario that they form a very important part of the fabric of Windsor and Essex county. They are a huge group that works very hard and tirelessly, that has built up the club of Place Concord. Many of us who belong to other clubs, who come from other ethnic backgrounds, watch with envy the Place Concord and

how it has risen up to take its fair spot in the county of Essex. To the people who organized all the festivities, all the activities, like Saint-Jean-Baptiste Day coming up on Sunday, where we're going to celebrate once again the founding of the French culture in Essex, I say congratulations.

I'm very happy to support the emblem being put forward today in this private member's bill. It's going to mean something very concrete to the people in Essex county that we can post this emblem around Essex to say, "If you come in these doors, you're going to find French-speaking people." To all those who come to visit us from across the borders, from the province of Quebec, from across Ontario, from the great states of Michigan and the five surrounding the Great Lakes, welcome, because you're going to find a very friendly atmosphere with your French language.

Congratulations to my colleague who has worked very hard with all the groups across the province. I'm very happy to be here today to support this motion.

**M. Gilles Bisson (Timmins-Baie-James) :** Premièrement je veux dire droit au début de ce débat que le caucus NPD va supporter cette proposition de loi, intitulée la Loi 18, parrainée par mon ami M. Jean-Marc Lalonde.

On pense que c'est important que dans la province de l'Ontario on accepte qu'il y a un drapeau franco-ontarien qui est reconnu officiellement par la loi dans la province de l'Ontario. On sait que c'est déjà un fait de notre pratique comme francophones que ce drapeau. Ça fait déjà 25 ans, je pense, qu'on a notre drapeau, qui est en place depuis cette journée à Sudbury en 1976. Nous les francophones le reconnaissons comme notre drapeau officiel, mais on veut avoir à ce point la reconnaissance par la loi de la province de l'Ontario que c'est notre drapeau franco-ontarien. Je veux dire ça droit au début du débat ; c'est très important.

L'autre affaire que je veux dire, je veux parler un peu de l'historique de la province et de notre pays. Après ça, je vais parler un peu des actions concrètes qu'on a besoin d'avoir de notre gouvernement pour être capable de vivre en français. Premièrement, comme tous les autres députés l'ont dit, les francophones, c'est un fait de l'Amérique du Nord. Ça fait très longtemps que les Français de France sont venus ici au début dans la découverte de l'Amérique du Nord. On connaît tous cette histoire. Les Français ont établi des communautés premièrement dans l'est du Canada et au Québec et éventuellement ici en Ontario. On sait qu'il y a eu des guerres entre les Anglais et les Français. On sait ce qui est arrivé aux plaines d'Abraham.

Mais le point que je veux faire, c'est celui-ci : les Anglais ont reconnu aux plaines d'Abraham, quand cette guerre-là est arrivée et que la conclusion a été que les Français ont perdus, qu'ils n'étaient pas pour faire ce qui est arrivé en Irlande. En d'autres mots, les Anglais de l'Angleterre ont compris qu'ils ne pouvaient pas avoir la même situation que l'Irlande. Il y avait le besoin d'accepter que les Français étaient dans l'Amérique du Nord, c'était un fait, et qu'il y avait le besoin d'aller en

avant avec des lois, et avec ça, dans leurs idées, en d'autres mots, respecter les droits des francophones quand ça vient à l'éducation et à d'autres services qui sont nécessaires pour être capable de demeurer et de vivre sa langue de son pays.

Depuis ce temps, les francophones au Canada et au Québec ont toujours pris l'attitude que nous les Français du Canada, on n'est pas des citoyens de deuxième classe ; on est un des peuples fondateurs de ce pays, avec les autochtones et les Anglais. Bien, les autochtones n'étaient pas les fondateurs ; ils étaient déjà ici. C'est nous autres qui sommes venus après, puis on a volé ce pays des autochtones. Mais quand ça vient aux Français et aux Anglais, nous les Français avions un droit par statut de la constitution quand ça vient aux droits ici dans la province de l'Ontario. Depuis ce temps-là, on lutte pour être capable de s'assurer que les services pour nous les francophones sont établis à travers les pays.

Au Québec c'est plus facile : ils sont majoritaires. Ils passent des lois ; c'est toujours en français. La vie québécoise quotidienne est faite en français. C'est très simple. Mais quand tu es francophone et que tu demeures hors du Québec, c'est une question totalement différente. Nous les Franco-Ontariens, on n'est pas Québécois ; on est Ontariens. On est né en Ontario. Notre première langue est le français. Mais notre pensée et nos approches sont très différentes que celles des Québécois, parce qu'eux, ils demeurent dans une société qui est un peu, je dirais, nombriliste quand ça vient à la manière de cette société de réagir envers le français. Nous les francophones en Ontario comprenons que c'est un gros monde, que ce gros monde inclut beaucoup d'autres races, les Anglais, les Japonais, les Portugais, les Italiens, et que tous ensemble on a besoin de trouver une manière de vivre ensemble et en même temps de respecter que nous, on est francophone, et que c'est important qu'on garde notre langue, on garde nos coutumes et qu'on a nos institutions pour être capable de les préserver.

En Ontario, on fait les affaires très différemment. On connaît l'histoire francophone. Mes amis M<sup>me</sup> Boyer et M. Lalonde ont fait partie de la lutte comme moi pour beaucoup d'années quand ça vient aux services pour les francophones, et ça n'a pas toujours été facile. Il a fallu lutter très fort pour avoir des services en français. Par exemple, la communauté d'où je viens, Timmins, qui était originalement et même encore aujourd'hui majoritairement française, n'avait pas de services en français dans les années 40 et 50 vraiment pour parler. Les services ont été donnés en anglais. Imaginez-vous demeurer dans une communauté où vous êtes majoritairement francophones et que vous ne pouvez pas aller rechercher dans les entreprises privées ou dans votre gouvernement municipal ou provincial ou fédéral des services en français. Nos parents ont lutté très fort pour être capables de faire accepter que certaines politiques soient adoptées par des gouvernements aux paliers fédéral, provincial et municipal, pour accepter qu'on ait des services en français.

Nous, la deuxième génération de cette lutte, M. Lalonde, M<sup>me</sup> Boyer et moi-même, on est un peu la

deuxième génération et il va y avoir une troisième derrière nous qui est déjà en place. Mais nous, on continue le débat, et parfois on se trouve dans une situation où on a besoin d'aller lutter dans ces batailles que nos parents ont gagnées, par exemple, l'hôpital Montfort. C'était un acquis qu'on a mis en place l'hôpital Montfort pour accepter un hôpital français qui est là, établi pour être capable de développer nos médecins et autres spécialistes dans le domaine de la santé en français dans une institution française. Ça, on l'avait pris pour acquis, et on s'est trouvé dans le premier terme du gouvernement conservateur, avec le restant de la communauté francophone, dans la grosse lutte pour sauver Montfort.

#### 1050

Je peux vous dire que ça blesse une communauté quand un gouvernement arrive et dit, « On va ôter vos institutions qu'on a mises en place, qu'on vous a données parce qu'on reconnaît que vous êtes un fait réel dans la province de l'Ontario. » C'est à beaucoup de reprises au cours des six derniers ans qu'on s'est trouvé dans une situation, comme députés francophones, francophones de la communauté de l'Ontario ou francophiles où on a eu besoin d'aller lutter pour essayer de sauver les services qu'on a, et on ne gagne pas toujours nos batailles.

Ça fait mal, par exemple, dans le délestage des services aux municipalités. Nous l'avons dit ici à l'Assemblée, on se rappelle bien, au gouvernement Harris : « Si vous délestez les services aux municipalités, ils ne sont pas couverts par la Loi 8. Puis, après qu'ils seront délestés, on va se trouver sans nos services en français. » Le gouvernement nous a dit, « Ah non. Ne vous inquiétez pas. Tout va être bien. On va s'assurer que tout est fait en français. » On a passé un projet de loi sous mon nom ici au cours du dernier Parlement pour être capable de sauver ces services. Il s'est fait adopter à la deuxième lecture, mais le gouvernement n'a jamais alloué au projet de loi de passer par la troisième lecture.

Là on se trouve quatre ou cinq ans après puis on voit avec ces services délestés, même dans les communautés qui sont désignées par la Loi 8, comme Ottawa, comme Timmins, comme Hearst, comme Kapuskasing, qu'on se trouve à faire lutter pour avoir nos services en français, services qu'on avait déjà en français pendant notre gouvernement provincial, parce que les municipalités n'ont pas les moyens pour s'assurer que ces services-là ont les fonds nécessaires. Autrement, les administrations de beaucoup de ces organisations municipales sont parfois des administrations anglaises où ils font leur ouvrage en anglais et ne pensent pas adéquatement à la question de s'assurer que les services en français sont là pour les francophones, même dans les lieux qui sont majoritairement français.

Moi, je le sais. Je poigne des plaintes dans mon bureau de comté puis on fait toujours un suivi. Par exemple, dans les communautés de Hearst et Kapuskasing je poigne des plaintes où Hearst est à 99 % français et je poigne des plaintes que, quand ils vont rechercher des services en français du DSSAB, les services sont donnés en anglais. On a besoin d'aller exiger qu'ils fassent les

services en français, quelque chose que le gouvernement provincial ne fait pas mais que mon bureau a besoin de faire.

On vient à bout d'être capable de résoudre avec le DSSAB le problème, mais le point que je fais est qu'on ne doit jamais admettre la situation, parce que ce sont des services qui étaient déjà préservés sous la Loi sur les services en français.

J'ai dit au gouvernement ce matin, « Je sais que vous allez voter en faveur de cette loi pour nous donner notre drapeau, qui est un symbole de la réalité francophone de la province de l'Ontario. Ça, on l'apprécie ; on l'accepte. Mais c'est très important qu'on ne donne pas seulement des symboles à la communauté francophone, mais qu'on fait des pas et des actions concrètes pour s'assurer que les services en français sont là pour la communauté francophone. »

On peut s'assurer, par exemple, si on voudrait, d'établir la Loi 8 passée juste dans la province. On pourrait passer une loi ici à l'Assemblée qui dit que tout service qui a été délesté ou qui va être délesté aux municipalités ou au secteur privé dans les régions désignées, que les services en français soient respectés. Pourquoi pas ? C'est quelque chose qu'on a déjà. On ne demande pas plus dans cette instance. On demande seulement de préserver ce qu'on a. On pourrait faire ça. Ce serait un pas concret, pas un symbole mais un pas concret qui pourrait nous démontrer que nous comme Assemblée, les députés de cette Assemblée de tous les partis, acceptons la réalité de la francophonie de l'Ontario et qu'on est préparé à mettre en place ces services et à s'assurer que ces services demeurent en place pour les francophones même quand ils sont délestés.

On pourrait, comme exemple, passer une loi—j'en serais en faveur—déclarant la province de l'Ontario officiellement bilingue. Je sais que M<sup>me</sup> Boyer croit, comme moi, que cette province doit s'afficher comme officiellement bilingue. Ce serait un acquis économique pour la province, quant à moi, ce serait respecter la francophonie, et je pense que cela irait loin sur toute la question de la constitution, le débat constitutionnel qu'on a entre le Québec et l'Ontario. Je pense qu'il serait intéressant d'être capable, comme Assemblée, de passer une telle motion ou un tel projet de loi qui dit, « La province de l'Ontario s'affiche officiellement bilingue. »

À la fin de la journée ça ne veut rien dire, quand ça vient à ôter des services aux autres, soyez bien clairs. S'afficher officiellement bilingue comme province ne veut pas dire qu'un Anglais, un Portugais, un Japonais ou un Chinois va avoir moins de services parce que la province s'est déclarée officiellement bilingue. Eux autres ne perdent rien.

Deuxièmement, tout ce que ça veut dire est que tout ce qu'on fait déjà ici en français, on continuera à le faire. Le gouvernement provincial est déjà obligé sous la Loi 8 dans les régions désignées de donner les services en français, de faire sûr que les documents sont en français pour être capables de faire nos affaires avec le gouvernement provincial en français, quelque chose qu'on fait déjà sous nos régions désignées. Si on l'établit

pour le restant de la province, ça ne veut pas dire extra en coûts pour l'Ontario—c'est le point que je veux faire—parce qu'on fait déjà la traduction de tous les documents. C'est déjà fait. Puis on pourrait dire, comme action concrète, non seulement qu'on accepte comme Assemblée qu'on doit avoir un symbole qui réalise la réalité de la communauté franco-ontarienne mais qu'on s'affiche officiellement bilingue et qu'on fait comme le Nouveau-Brunswick : on prend ce pas pour dire qu'on reconnaît l'historique du Canada, on reconnaît le fait francophone. Troisièmement, quant à moi, c'est vraiment une bonne affaire quand ça vient au point de notre économie dans ce monde global.

On se trouve parfois dans cette Assemblée dans une situation, même comme francophones, où il est un peu difficile de faire notre ouvrage en français. C'est quelque chose qu'on voit de plus en plus au cours des dernières années, puis je ne sais pas pourquoi. Par exemple hier, comme député provincial, je me suis pointé vers le comité des estimés pour demander des questions directement à la ministre de l'Éducation en français, et dans la salle de comité aucune préparation pour la traduction simultanée. J'ai fallu ajourner le comité pour une heure pour qu'ils aillent chercher l'équipement qu'ils mettent en place pour être capables de faire cette traduction simultanée, pour que je puisse faire mon ouvrage en français. Cela n'aurait pas dû arriver. Mon point est que même ici à l'Assemblée, ce qui arrive parfois c'est qu'on ne s'assure pas que les services qui doivent être mis en place sont là pour être capables de faire notre ouvrage ici en français, même si c'est la loi.

Je veux donner l'avis que je vais revenir sur ce point, parce que je pense que c'est très important.

I want to say one last thing that's semi-related to this—I beg your indulgence, Speaker—and that is on the recent comments made by our mayor of the city of Toronto. They are related to the francophone issue, if you allow me.

I believe Toronto, as Ontario, is a multicultural society. That is one of the strongest attributes this province has, that we recognize among ourselves the differences as a strength. It is a strength that we are able to live in a province where francophones, anglophones, Portuguese, Chinese, Caribbean people, people from Asia, people from Africa, people from all over the world can come to our province and can come to our city, our capital, and live in this community, this mosaic that we talked about before which is Canada, which is the province of Ontario, and which is Toronto.

That is something that shines out as a beacon across the world. We have been able to prove in this country that a country can be built not on a melting pot theory, as the United States, which I totally object to, but on the theory of *Vive la différence*, as we say in French, because through that difference we make ourselves a stronger people. I want to say I am extremely hurt by the comments made recently by the mayor of the city of Toronto, Mel Lastman, where he is quoted as saying very derogatory comments toward the African community. I won't repeat those comments here because I think they're

disgusting. I think it is a sad reflection on our society when you see the mayor of the largest city in Canada, the capital of our province, make comments such as that and get away with it.

I remind people that when M. Parizeau, on the night of the referendum, said those awful words toward the ethnic community and the anglophone community in Quebec, they chased him out of office, rightfully so. As a francophone I accept that that should have happened, because at no time should we in our society, no matter what our background is, accept intolerance. I, as a New Democratic Party member and a member of this assembly and, more importantly, Mr Speaker, as a francophone person of the province of Ontario, am extremely offended by what Mel Lastman said and call on him to resign his position as the mayor of the city of Toronto. He is not fit to rule as mayor in this province if he has attitudes and demonstrates attitudes such as that. They are an affront not only to the African community of Toronto but, I argue, to all of us in Ontario, because together all of us, the people of the different races, make this province what it truly is. I'm truly offended by what Mel Lastman has done, and I'm calling for his resignation as the mayor of the city of Toronto.

**The Deputy Speaker:** The deputy from Glengarry-Prescott-Russell has two minutes to respond.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I want to thank all of the members who have spoken in favour of this bill and have shown their support of the bill.

Today I stand before the House and ask that all members of the Legislative Assembly of Ontario share with me a vision of a beautiful province, strongly united by its beauty and diversity from north to south and east to west. I invite all the members to join me in voting in unanimous consent of this act to officially recognize the emblem of the French-speaking community. I also invite all francophones of Ontario to a special ceremony where, for the first time, the francophone flag of Ontario will be raised in front of Queen's Park on June 24 at 9 am.

1100

Dimanche prochain, le 24 juin, nous allons célébrer la fête de la Francophonie mondiale, la Saint-Jean-Baptiste. J'invite toute la communauté francophone de l'Ontario à la cérémonie du drapeau, qui sera hissé au mât à l'avant de l'édifice de l'Assemblée législative à 9 heures du matin où, pour la première fois, le drapeau franco-ontarien sera hissé devant Queen's Park.

**The Deputy Speaker:** This completes the time allocated for this ballot item. The votes will be taken on the ballot at 12 noon.

#### FARM IMPLEMENTS AMENDMENT ACT, 2001

#### LOI DE 2001 MODIFIANT LA LOI SUR LES APPAREILS AGRICOLES

Mr Barrett moved second reading of the following bill:

Bill 76, An Act to ensure fairness, to foster competition and consumer choice and to encourage innovation in the farm implement sector / Projet de loi 76, Loi visant à assurer l'équité, à favoriser la concurrence et le choix des consommateurs et à encourager l'innovation en matière d'appareils agricoles.

**The Deputy Speaker (Mr Michael A. Brown):** The member has 10 minutes to make his presentation.

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I'd like to begin by first thanking those who will be speaking to this bill. I appreciate your time and your concerns. Bill 76, An Act to ensure fairness, to foster competition and consumer choice and to encourage innovation in the farm implement sector, has the support of farmers, farm implement dealers and shortline manufacturers. If passed, this legislation is designed to protect Ontario's 300 farm implement dealers from what many consider unfair business practices of large manufacturers.

For too long, large manufacturers have been using what are called "dealer purity" policies to prevent dealers from selling other products. Dealer purity or exclusivity clauses are currently being used in dealer contracts by large farm equipment manufacturers in order to force the others to sell products exclusive to that manufacturer. I point out that these dealers are not franchisees, they're not protected by Ontario's franchise legislation.

I point out as well that this type of activity is not allowed in the United States and it's not allowed in four provinces. I understand that three other provinces are considering similar legislation to what we're discussing today.

By eliminating dealer purity policies or exclusivity clauses, this bill would allow dealers more choice in the brands of equipment they carry, create more selection for farmers, more opportunities for Ontario's 80 shortline manufacturers to distribute their products. This will increase competition and foster choice which, at the end of the day, will save farmers money, boost small business, boost manufacturing and make the tools that farmers need available closer to home.

Dealer purity has been a contentious and an expanding issue for dealers and small distributors and manufacturers for a number of years. Only in Canada is this now allowed, and this is largely due to the fact that the farm implement industry has gone through mergers, resulting in fewer companies controlling the majority of distribution.

Many Ontario dealers choose to comply with the demands of manufacturers in order to save their business. I feel this isn't fair. It's not fair to the dealer or to the farmer or to that shortline manufacturer, the little guy who is being frozen out of this distribution network.

It's been suggested that this problem be dealt with between the dealer and the manufacturer. I can assure you that both sides have been negotiating these issues for well over 10 years now and there's been no consensus. I will reinforce the fact that issues such as dealer purity are not covered by either franchise or competition legislation. The federal Competition Act provides for action

against companies whose policies reduce competition in the marketplace. The Competition Bureau was established by the act for that purpose. However, Canadian farm implement dealers have found the federal legislation ineffective in protecting them because the offending behaviour must, first, be repetitive and, second, must be proven to cause a substantial decrease in dealers' sales. As well, Ontario's franchise legislation, the Arthur Wishart Act, does not address dealer purity issues.

Through these amendments to the Farm Implements Act, dealer purity issues can be addressed without affecting other franchise legislation. In other words, this legislation will not set a precedent for other distribution systems, for example, car dealerships. I'll also point out that there have been no court challenges in other Canadian or US jurisdictions which have similar legislation.

I do believe that separate legislation is needed to put an end to the 10-year tug-of-war I described. This is a debate that has been negatively affecting rural Ontario and farmers for far too long, in my opinion. Earlier this year, the Ontario Retail Farm Equipment Dealers' Association met with the Ministry of Agriculture requesting that Ontario eliminate these clauses. ORFEDA, the association, represents Ontario's farm machinery dealers and was instrumental in originally establishing the Farm Implements Act in 1988. ORFEDA is supportive of moving forward with amendments to the act, as are the Ontario Federation of Agriculture and the Ontario Farm Equipment Association, an association that represents small manufacturers. With respect to the large manufacturers, the Canadian Farm & Industrial Equipment Institute, which represents the large companies like John Deere, has been consulted, and they have indicated by letter—I have the letter here today—that they will not "present any further objections" to this direction. Legislation similar to this bill, Bill 76, has been passed in Saskatchewan, Manitoba and Prince Edward Island. It's awaiting royal assent in Alberta.

As growing numbers of dealers begin to lose their businesses, governments in the United States found it necessary to introduce legislation to protect them. Consequently, dealer purity clauses are unlawful in most American states. Something like 33 of the US states now have specific state legislation to prevent this.

I should point out that there are no longer any large tractor or machinery manufacturers in Ontario—or Canada for that matter. In fact, major manufacturers have been closing their head offices in Canada and, for economic reasons, centralizing them in the US. One exception is US-based John Deere. They still maintain a Canadian headquarters in Grimsby, just off the QEW, as well as a manufacturing plant in Welland. John Deere remains the largest farm equipment corporation, with worldwide sales of US\$11 billion last year.

Two other large corporations, Case/New Holland, previously Case International, and AGCO are two others that supply equipment dealers in our country. The combined sales of these three manufacturers in the province

of Ontario rings in at roughly \$1 billion a year. Both John Deere and Case/New Holland sell only their name brand products, carrying machinery such as tractors, harvesting equipment, hay and forage equipment, tillage, planting, spraying and material handling machinery.

Many farmers—I think of my own riding of Haldimand-Norfolk-Brant—are dependent on small-run, specialized equipment for the ginseng market, potato growing, tobacco growing, and it's oftentimes difficult to find this equipment. That's where these short-line, small manufacturers come in, to fill that niche. Small rural dealers act as a distribution outlet for these small manufacturers who boast a full range of farm machinery and can produce this specialized equipment, as I mentioned, for the potato and the ginseng industries.

#### 1110

Fruit and vegetable growers and orchard and vineyard operators as well as having trouble getting the equipment they need from these large companies. The 80 short-line manufacturers in Ontario comprise a \$240-million industry, and 80% of their sales are through these dealers. Farmers need these sales. They need the simpler, cheaper alternatives, and they certainly need the innovation, the technological developments that come from these small companies that, for example, led the way in developing front-wheel-drive tractors, articulated tractors, no-till equipment and the other vineyard and fruit and vegetable equipment I mentioned earlier.

We see a trend. It's a trend that's threatening the economic survival of our dealers. It's hampering our short-line manufacturers and having a negative impact on our rural communities.

To conclude, I've been involved in farming all my life. I have both John Deere and International equipment. Over the years, I have probably operated just about every piece of equipment made by most of the major manufacturers. It's all very good, well-made equipment. I have a 50-year-old tractor in my shop that will be useful and valuable when a lot of our computers are no longer valuable. These products are very well made by all of the companies. We just ask for fairness, a competitive market and fair and open distribution.

I look forward to this morning's debate, and I ask for support from members. If members feel this is appropriate, I wish to submit this to committee.

**Mr Steve Peters (Elgin-Middlesex-London):** As the critic responsible for agriculture for the Liberal Party, I want to commend the member from Haldimand-Norfolk-Brant for his initiative with Bill 76, the Farm Implements Amendment Act. I think it's important, as we stand here today debating private members' business, that this piece of legislation the member has brought forward, be it private members' business, is a piece of legislation that is going to have a great benefit and a real effect in rural Ontario.

At times I've stood in this Legislature and been critical of the government in their commitment to rural Ontario, but today I'm not going to stand up and criticize the government for this initiative. I think it is a good

initiative, and it's one I've recommended to our party that we support today.

I think it is essential and incumbent on us as legislators that we look after the small distributors and manufacturers comprising what's known as the short-line farm implement industry in this province, which generates over \$240 million annually for the Ontario economy.

I think it's important, too, to recognize, as the member has pointed out, that this legislation does have the backing of organizations such as the Ontario Federation of Agriculture, the Christian Farmers Federation of Ontario, the National Farmers' Union and other farm equipment organizations. So there is consensus out there and support for this legislation among the organizations representing the agricultural community.

I think we need to recognize that large manufacturers have policies that increasingly use single-company product lines, and this prevents dealers from selling other products. These provincial restrictions and amendments that are being proposed today will ensure the economic survival of those dealers, small distributors and manufacturers, but I think, more importantly, they will help those rural communities where they are located.

As has been pointed out, it's important to recognize that legislation that protects agricultural dealers has proven to be extremely successful in the United States, recognizing, too, that other provinces—Manitoba, Saskatchewan and Prince Edward Island—have moved in this direction. Other provinces, including Alberta, Nova Scotia and New Brunswick, are also developing similar acts.

I know we take a lot of criticism on this side about our federal cousins or, as I say, my distant relatives federally. I will agree with you in this case, and I commend the Ontario government for showing leadership. It is too bad that the federal government couldn't have taken this leadership to develop a Canada-wide strategy and not allow it to come down to individual provinces. So there: we do criticize the federal Liberals.

It's important too that small distributors and manufacturers, as we know, offer a wider variety and range of products, which in turn provides farmers with a greater selection of machinery. This segment of the agricultural community has proved successful over the years in being leaders in terms of industrial innovation and development. We can see, over and over, prime examples of their success stories and it's important that we recognize and support the small distributors and manufacturers.

We see that large farm machinery manufacturers are continually amalgamating. It's estimated that more than 50% of the smaller individual dealers will fail because of a strict one-company policy. Many are trying to develop Internet sales, but this won't be a fully viable alternative for many years. Part of the reason is that we need to increase our efforts at connecting rural Ontario, making sure that rural Ontario has access to the Internet.

It's interesting when you look historically at this province. One needs only to travel around as we embark

on the summer season, visiting some of the fall fairs and the historic and steam shows that take place. You look at the equipment that once was manufactured in this province, and we've seen this segment of our industrial economy disappear.

You can drive through Brantford and look at the vacant Massey-Ferguson plant—it used to be Massey-Harris—or drive to Toronto and look at the Massey-Ferguson plants that have gone idle. We've seen a plant disappear that employed my grandfather when he left the farm in Saskatchewan and came to Toronto. He worked in the agricultural industry here in Toronto. We can look back and I can relate, in my own riding, about a company that was there, Erie City Iron Works, which was famous for its wheelbarrows, agricultural implements, post-hole diggers etc and it has disappeared.

We need to do what we can and an initiative such as has been put forward today is going to help preserve and support the rural economy. We need to look at what's happened here. We've seen large farm equipment distributors forcing dealers to sell only products exclusive to the distributor. As a result of these initiatives by these large corporations, we've seen that individual dealers cannot offer farmers a wide range of products from other distributors and manufacturers. It's a policy and an initiative of these large corporations that is really restricting choice and access to different products for farmers, small distributors and manufacturers.

As has been pointed out, this restrictive policy is illegal in the United States and it has been a contentious issue across Canada. It has been pointed that unfortunately the federal Competition Act in place does not fully cover this, thus causing us to have to deal with these issues at a provincial level.

It's important to recognize the support that is out there for this. Oftentimes we see legislation in front of the Legislature that doesn't have support. It's very obvious when you read some of the correspondence that has come in in support of this legislation that this is something that farm organizations, individual farmers and small distributors and manufacturers are looking for.

You look at the National Farmers Union, which says, "We fully support legislative changes which would outlaw 'dealer purity' requirements and allow dealers to serve farmers' needs rather than the demands of the manufacturer."

That's a key line in this legislation, that this legislation that has been put forward by the honourable member is there to serve farmers' needs rather than the demands of the manufacturers.

1120

As we have a real mix of urban and rural representatives in this Legislature, it's important that I encourage and urge the urban members in particular to support this. You need to understand that there are differences between urban and rural Ontario, and that often what's best for Toronto isn't necessarily best for rural Ontario. I urge all the members to support this

initiative because this is something that is going to have a positive effect in rural Ontario.

The Ontario Farm Equipment Manufacturers' Association also has written in support of this legislation. They've studied the changes and they are in support of this.

The Ontario Federation of Agriculture, one of the largest groups representing the agricultural community in this province, has also supported "the initiative to amend the Farm Implements Act to lessen the control that mainline manufacturers can exercise over the product lines sold by their dealers."

The Ontario Wholesale Farm Equipment Association, which represents, as they point out, "many diverse needs and perspectives," goes on to say, "It is the general feeling of the OWFEA membership that while we are all independent-minded, in order for the industry as a whole to remain vital and not face restricted market access due to the policies of the dominant foreign players, the dealers' freedom to operate their own businesses needs to be protected." I think it's important to recognize that.

The Ontario Retail Farm Equipment Dealers' Association also has written in support of the amendments to the Farm Implements Act. They say:

"The amendments proposed are presented in an effort to preserve and protect Ontario agriculture and its many sectors. Without them, there exists an immediate threat to the farming community of Ontario. Ontario farmers may be forced to pay more for farm equipment as a result of multinational machinery manufacturers prohibiting their dealers from selling machinery made by short-line or other competitors...."

"For many Ontario dealers, the choice is simple: comply with the manufacturer's demands or lose their livelihoods. The average dealer in Ontario sells about \$5 million of new equipment from large machinery makers and about \$1 million of short-line equipment. When the dealer faces the pressure from the manufacturer, it's a no-brainer to give up the smaller line. This places short-line manufacturers in the province of Ontario in serious jeopardy.

"As large farm equipment manufacturers consolidate and reduce the number of competitors in the industry, dealers face additional pressure to 'toe the company line'...."

"Wouldn't it be good to save farmers money while also ensuring they have access to the latest technology? Wouldn't it also be good to preserve as many farm equipment dealerships as possible in rural Ontario? This can all be accomplished and it doesn't have to cost the provincial government any money."

It's very obvious, when you look across the province, that there is support out there. Tomorrow I'm going to be attending the grand reopening of Huron Tractor in St Thomas. This is an example of an industry and a business that is there to serve the rural parts of my riding. My riding, much like that of the member for Haldimand-Norfolk-Brant, is a real urban-rural mix. The agricultural component is just mammoth to the local economy.

It's important that we're seeing investments like Huron Tractor, investments that I know, with these amendments being put forward here, are going to help businesses like Huron Tractor remain competitive in the future, but I think, more importantly, to continue to serve the needs of rural Elgin county, in my own case.

It's important to recognize some of the key elements of this legislation that's in front of us. This act is going to remove the exclusive term from dealer-distributor agreements, allowing dealers to sell farm machinery from any distributor or manufacturer. It'll protect dealers from no-cause termination, which currently allows large manufacturers to terminate their business with dealers without any reason. Distributors will be discouraged from imposing discriminatory contracts on individual dealers as a result of opening up competition and providing more services at a reasonable cost for farmers in their own communities. The act will allow smaller distributors and manufacturers to share warranty costs, parts supply and inventory responsibilities. I compliment the Ministry of Agriculture, Food and Rural Affairs for its efforts in getting all the stakeholders to work together on this important issue.

As I said earlier, my colleagues will be supporting this legislation. But I think I need to go on the record to point out that as I commend the government for this step it's taking in trying to assist the agricultural industry in this province, the second-largest industry in this province, unfortunately in a recent piece of correspondence that went out from the Ministry of Economic Development and Trade there was no mention of agriculture. I think it is an industry that needs to be recognized and supported. It's important that this government recognize the important and vital role that the agricultural community plays.

We know that again this year our farmers in Ontario are faced with that competition from the United States, faced with that competition from the European Union, mainly in the area of subsidies and the support that's given to farmers. Every one of us in this Legislature, be we urban or rural, has to get up in the morning to eat, and it's incumbent on every one of us to do everything we can to ensure that the agricultural industry in this province remains competitive, that we continue to be leaders. It's steps like this that are going to help, but certainly there are other initiatives that can be taken. On this one, we will be supporting it.

**Mr Gilles Bisson (Timmins-James Bay):** As the member here responsible for the NDP caucus this morning on this issue, I just want to say we will be supporting this legislation. We agree with the direction in which the member is trying to go. We also believe that manufacturers should not have the power to demand exclusive dealerships so that in smaller areas, where it makes sense that a dealer has multiple lines in order to give that choice to the consumers, the people in the farm industry, that should be allowed to happen. In fact, it's something that we support.

I want to go through what this bill says, what it does and what it doesn't do, and then refer to some of these items that I think need to go to committee in order to fix them up.

First of all, what does this bill intend to do? We are told by the member who brings it forward it's to give dealers the ability to sell more than one line of farm equipment in a dealership. Presently, there are contracts that are signed between the dealers and the manufacturers that they are not allowed to sell anything other than the equipment they've been franchised to sell, Massey-Ferguson or whatever it might be, which doesn't exist any more. I should say John Deere. Massey-Ferguson was a great company that went down, unfortunately; that's another story.

Anyway, he says it'll give them the ability to do that. So I went through the bill, read through it, and said, "This is a good idea. We can support this." We went through, and this is what we found in the bill.

First point: The first thing that this bill does is it sets rules around who pays for the repairs and defective implements and parts. It says who is going to pay for the repairs and who is going to pay for defective parts when there is such an occurrence. We support that and say OK, that's fine. We understand that.

The second thing it says is if a farm implement needs to be repaired, the distributor can fix it directly or reimburse the dealer for making the repair. Obviously that's a mechanism to deal with the repair of defective equipment. We agree with that. We think that's a good idea.

It says if the distributor didn't manufacture the farm implement that needs repair, the manufacturer would reimburse the distributor for the cost of the repair. It's just a way of getting the money back. If I'm a John Deere dealer and somebody brings in a piece of equipment other than John Deere, it sets up a mechanism so that you can actually get the warranty money back to the person who does the repair. We agree with that.

If the farm implement is defective and the distributor didn't manufacture it, the manufacturer would reimburse the distributor for the cost incurred. Same idea, we can support that.

It sets rules and limits around repurchasing new farm implements and parts to clarify in those areas. This is where we have a bit of a problem because as we read the bill, the bill in fact doesn't clear up the problem. We still believe that after this bill is passed, if it clears second and third reading—we don't know that yet, but I assume it will—it's not going to do what the member says it's supposed to do. We're still going to have a situation where the manufacturers will still have contracts of exclusive dealership with the dealers and they will not be able to sell anything other than the farm equipment of that particular manufacturer that they have signed a contract with.

1130

So I am a little bit lost here as to why that wasn't put in the bill if the intent of the bill was to fix it. I have to

assume somehow or other it's an oversight in drafting. I don't believe it's anything else. I know when we called the parliamentary assistant's office, the comment from his staff was, "Yes, we have a problem here." In fact, the bill doesn't do what it's supposed to do. I take it there has been an error in drafting. I leave it at that and would say we need to refer this bill to committee and, at the committee level, fix the problem in the bill in the way it's drafted so that it actually does what the bill was intended to do in the first place.

If you follow my drift, the answer I want from the member who is proposing this bill is, if this bill goes to committee, if you are prepared to make the amendments that clearly say the distributors will no longer be able to have these exclusive contracts with the dealers, and in fact the bill would allow the dealers that held multiple lines, without any question or qualification whatsoever, and you're prepared to support such an amendment, we will support this bill, no question. If you're not prepared to do that, then we need to hear what you have to say and make our decision based on the comments that you make.

That's the first point I want to make. Let's make sure that if the bill actually goes to committee and if it passes third reading, it ends up doing what the bill purports to do.

The other point I want to make is that I know that the Ontario Ministry of Agriculture, Food and Rural Affairs had been approached by the Ontario Retail Farm Equipment Dealers' Association to do such a bill. I know it's got to be more than a year ago because I remember being cc'ed on some of those letters. I remember at the time seeing other correspondence, I believe from the minister but it might have been the ministry—my memory fails me—that they were actually dealing with trying to draft up legislation that would deal with this.

I find it kind of odd that a private member would have to come in and do what essentially is a government bill. If the Ministry of Agriculture, Food and Rural Affairs agrees that this should be done, I would hope to at least have had the ministry bring forward this bill in order to ensure its passage. We all know that a private members' bill that's brought in this House, just because it passes second reading this morning, is not assured to pass third reading or even ever get to committee. The history in this place is that a very small percentage of bills—under 10%, more like 2% or 3%—actually get to be law once they're brought into this House after they've been accepted at second reading.

So I've got to ask myself what's going on here. The ministry didn't bring forward the bill when they sort of indicated they would, and that was over a year ago. We find that a private member is bringing the bill into the House and say, "Hold it a second. Why isn't the ministry doing this? Is this the signal the ministry is not quite on side?" Then when we read the bill, we find that the bill doesn't do what it purports to do. I'm a little bit sceptical, I've got to say. I want to hear the explanation from the member across the way. Is this because you don't have the support of cabinet and the ministry to make the bill

do what it's supposed to do? Would that explain why the ministry didn't author this bill? Or is it just a question of, "Well, the ministry never got to it. My ballot number came first. I made an error in drafting the bill and I'm going to make sure we fix that at committee"? I want an answer to those particular questions. I think they're important.

I also want to point out, as the parliamentary assistant did, we know that this type of legislation is not earth shattering, it's—

**Interjection:** Yes, it is.

**Mr Bisson:** No, it's not. The province of Saskatchewan, the mecca of socialism, has passed such a bill in order to be able to allow free competition within the marketplace. We see in other bastion, Manitoba, another one where there's a social democratic government, they have in fact passed such a bill to allow the free marketplace to do what it needs to do.

I have to add Alberta, the land of capitalism, also has a bill before the House about to be passed. So we're not going to say just social democratic governments have done this.

The point I want to make is this, and this is poking a little bit of fun at my free-marketeer friends: it's interesting that free-marketeers are only in favour of free markets when it benefits them, because the manufacturing sector, these icons, tycoons or typhoons of industry, who stand for a free market, go and try to make these deals where really there isn't a free market, a free market that only benefits them.

I always find that ironic, that the people at the top, the bigger corporations, not the little guys—the little guys at the bottom like us, small business people, we work the sweat off our brow trying to make a living and trying to keep our businesses afloat. I think the small business people understand what a free market is all about; they're in it. But the big guys, the big multinational corporations, the big national corporations, I believe are actually not free marketers, because if you look at how they act, and this is a good example of it, they believe in the free market only when it is good for them.

The rhetoric is, they say, "We believe in free enterprise, we believe in free markets, we believe in entrepreneurship. We don't believe that government should be intervening in the economy," but those big buggers, what do they do? They're the first ones, cap in hand, running to government whenever some—

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** Is that word OK?

**Mr Bisson:** I can say that in the House. Those big, large corporate bums come to governments, both federal, provincial and municipal—

**Interjection:**

**Mr Bisson:** "Corporate welfare bum" is accepted, Speaker.

**The Deputy Speaker:** I think you said another word that I was a little slow in picking up.

**Mr Bisson:** I'll withdraw that. I might have said something inadvertently; I really apologize for that.

But what I do want to say clearly, the corporate welfare bums—as my good friend, Mr David Lewis, at the federal level had coined the phrase, and my good friend Mr Rodriguez from Nickel Belt—are the first guys, cap in hand, coming to all levels of government saying, "I need a break. Look at me: I'm having a tough time, my corporate citizen responsibilities, I can't quite do them, you know," as my friend Rosie would say.

They're out there, cap in hand, the first opportunity they get. Then what I really find funny with those big corporate welfare bums is that they're the guys who have protection under legislation—not by legislation; I should rephrase that—by way of contracts with dealers, basically put their hands around the throats of the small dealers and just keep them in place. They say, "You're going to compete in a free market, but under our rules."

I see that, quite frankly, as almost a communistic approach to how you do business. I believe in the free market. As a social democrat, I believe that the free market should do exactly what we say. We should allow people to do business in a way that allows the movement and the freedom of choice and the freedom to be able to try things out when it comes to business opportunity that's according to our ability.

I believe there should be some rules about how we do that, so we don't have people beating each other up, but I really find it ironic that those big, large, welfare corporate bums are the guys who go out and do these kinds of things. They say to the small individual dealer, "You will do it on your own."

I feel like that for a reason. I come from a family of small business people. Both my dad and my mom ran small businesses, is how they basically earned their living for the time that I was growing up as a child. My poor father, who owned a television repair-service-sales business, was caught in exactly this kind of situation. If you wanted to sell a television in the city of Timmins, or at the time the town of Timmins, you had to go to one of the manufacturers and say, "Boy, I'd love to sell some televisions,"—Electrohome was my dad's brand—and they'd say, "We'll allow you to sell Electrohome, but you can't sell anything else." Then poor small business people, who wanted to have the ability to sell goods, had to agree to those terms by these corporate welfare bums, as I call them, that basically say, "You're going to do business, but only on our terms."

The point I'm making is, the guys at the top of the economy—not the little guys at the bottom, because I think we all understand, all members of the House, that the little guys at the bottom, the small business people, they're the true marketers, they're the true free enterprise people, they're the people who are really creating the wealth. But the guys at the top, man oh man, they irk me to no degree, not only as a social democrat but as a small business person because every opportunity those corporate welfare bums have got, they're trying to put their hands in my pocket, as a small business person of the time. They're trying to set the rules that favour them and really not allow me to compete they way that I want

to compete and the way that my ingenuity allows me, as a small business person, to go out and do what I gotta do.

I think this is just another example about how these large corporate entities, quite frankly I believe, don't really believe in free enterprise.

1140

There's another good example in the two minutes that I've got. This is a good example. Abitibi-Consolidated used to be Abitibi, but now they've gotten so big by merger that they control virtually enough of the newsprint market in North America that they're able to control the price.

We all understand economics. If you control enough of the supply and you can play with the supply, make it a little bit harder for people to buy paper, you're going to affect the price, right? We all understand that. Abitibi-Consolidated is so big now that they're able to do that.

Now they've made some decisions. They're saying, "We are going to shut off a paper machine," another one in Iroquois Falls, number 1 paper machine, after they already closed number 7. "We are going to go to Kenora and we're going to shut down a line over there and temporarily put another one down." What that's all about is not about the benefit of the workers, the benefit of the community. Where these corporations have made these millions of dollars, by the way, is on our natural resources that belong to all of us. These big guys are so big they're able to play around with the supply of paper as far as what goes into the market by taking paper production capacity out of their own mills to push the price up and drop the cost down.

I argue, that's not good for small business people. That's not good for our economy, because it means in those communities all those people get out of work. They don't have the income to go out and buy things from small business people. It is not good for our economy overall. I say, if we really believe in free enterprise, we shouldn't allow corporations to get that big. I would favour something—and I don't know how you do this because I'm not the expert—but we should never allow a corporation to get to such a size that they're able to control a market in whatever they sell. We shouldn't allow those types of monopolies to happen. Unfortunately that's where we are going. Our economy, with NAFTA, with free trade and with everything else that's going on and the globalization, these corporations have gotten so big they can do anything they bloody well want. They're not beholden to anybody.

As a citizen, as a consumer and as a small business person, that offends me. I want to live in an economy where I've got a chance at the bottom to make a buck. If I can't make a buck at the bottom, how is this economy ever going to work? I say that as a social democrat.

I ask the members across the way to support this legislation to take away the stranglehold that these large corporate welfare bums have on the small dealers and allow the small dealers to go out and prosper in our economy and give them a chance to make a few bucks instead of always the guys at the top getting everything.

As a social democrat, I'd be proud to support such a motion.

**Mr Doug Galt (Northumberland):** I appreciate the opportunity to speak on this bill, the Farm Implements Amendment Act, particularly when it has been brought forward by my good friend from the riding of Haldimand-Norfolk-Brant. I was pleased to hear the comments being made from the opposition parties, the member from Timmins-James Bay and also the member from Elgin-Middlesex-London. I think it was interesting what the member from Timmins-James Bay had to say about the drafting of the bill and the concern that he has in there. I can understand why he would bring that particular point forward. That's one of the important reasons to have hearings on a bill such as this.

Recently I brought one forward. The concern was to prohibit people from riding in the back of pickup trucks. Of course, we had legislative counsel draw it up. After the Ministry of Transportation looked at it, they fully agreed and they recommended that it appear in a different section of the Highway Traffic Act. But the intent was there, and we had all three parties supporting it. After we had the hearings, we were able to bring forward the amendments into a totally different spot in the Highway Traffic Act. Hopefully, it's going to go through for third reading.

This bill is about protection from equipment manufacturers who are forcing their product on to some of the local dealers and not giving the dealers the kind of choice that they really should have. There's no question the minister has worked closely with the federation of agriculture and with the farm equipment association. The minister certainly is concerned about this situation and supportive.

Farmers have many problems in crop production, ranging from weather conditions all the way through to marketing their particular product. What they don't need is to have their farm dealers get in trouble, go bankrupt or get shut down because of regulations that are being forced upon them by the big manufacturers.

This bill is really about consumer choice. Our government has been very supportive of consumer choice. You can look back over a long list of things that have gone from monopolies to choice, everything from your long-distance server to your supplier for gas to your electricity supplier and, more recently, a bill before the House on a better chance to choose the education for your children with the tax credit that's being brought in.

So I guess the question automatically becomes, why not also a choice for the equipment dealers as to what they sell and not being stuck in a monopoly, as well as giving more choice to the consumer who is going to that particular equipment dealer.

There's no question in my mind that monopoly is indeed wrong wherever it is. Competition is healthy. What we're talking about here is a policy with the problem of dealer purity, which is the terminology that's being used, and policies of exclusivity in various clauses

in those contracts. If this bill is passed, it will allow dealers more choice and more selection.

A case in point that I want to make reference to is that a farmer in my area, Paul Jeffs, just recently phoned about a John Deere dealership in my riding that may have to close just because of this very situation. It's most unfortunate when you have a big company that's dictating to these dealers and dictating what these dealers should be doing in small-town Ontario. The end result is really forcing them out of business. The rationale they use is that this individual is not quite meeting his quota. The reason he's not meeting his quota is because of undersupply of the kind of equipment he can sell in my riding and oversupply of things that people in my riding have no interest in, oversupply of some specialty farm equipment that this poor individual gets loaded down with.

Just recently, in the riding next door to me, there's been a dealership in Stirling, the New Holland dealer, that has closed down. I understand in Renfrew a farm equipment dealer has recently closed down.

These people are indeed being held hostage by these large equipment manufacturers. There's no question, it's time to take action. Action is indeed needed so we can ensure fairness, competition and consumer choice. That's what our government stands for, and I enthusiastically support this bill brought forward by my good friend from Haldimand-Norfolk-Brant.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm certainly pleased to join in the debate on the private member's bill brought forth by the member for Haldimand-Norfolk-Brant. The act is entitled Farm Implements Amendment Act, 2001. The purpose of the bill is to remove the ability of farm equipment manufacturers to force dealers to sell only their product. The member indicates that in some cases farmers are forced to pay more for farm equipment as a result of multi-national machinery manufacturers prohibiting dealers from selling machinery made by short-line or other competitors. In order to keep their dealerships, Ontario dealers must simply comply with the manufacturers' demands.

The Ministry of Agriculture, Food and Rural Affairs, I understand, has been contacted by numerous farm groups calling for amendments to the Farm Implements Act. I understand action on this issue has the support of the Ontario Retail Farm Equipment Dealers' Association, the Ontario Federation of Agriculture and the Ontario Farm Equipment Association, which represents smaller manufacturers.

The amendments to the Farm Implements Act are critical to preserve and protect Ontario agriculture and its many sectors. Farmers across many fields have faced a variety of hardships over the past few years. The member believes that passing legislation saves these farmers money and at the same time offers them the choice of the most up-to-date and modern farm machinery available.

Other jurisdictions have acted with respect to this type of protection. Legislation to protect farm implement

dealers from unfair business practices of large manufacturers has been in effect in the United States for at least 10 years. Similar legislation has been passed in the provinces of Alberta, Manitoba, Saskatchewan and Prince Edward Island. Legislation is under consideration in the provinces of British Columbia, Nova Scotia and New Brunswick.

1150

Some fundamental facts with respect to this issue are that farm implement dealerships are not franchises. Dealers do not pay fees for the right to distribute products, and dealers do not have protected territories. Farm implement dealers have sales and service agreements. Auto dealers also have sales and service agreements rather than franchises. From what I understand, there have been no court challenges in other Canadian or US jurisdictions that have similar legislation, and other industries in these jurisdictions have not requested similar legislation.

The member has indicated the history, in terms of how this issue has arisen. Dealers and distributors have been negotiating for over 10 years to resolve these issues. US and Canadian jurisdictions have seen that legislation was needed to protect dealers. In Ontario, stakeholders have been encouraged to work together. The stakeholders submitted a joint proposal requesting this legislation, and we understand there will be minimal opposition to this piece of legislation.

What we have here, in essence, are farm implement dealerships that are not franchises. The dealerships have security and service agreements but not franchise agreements. A franchise dealership sells one brand of a common type of product; farm implement dealerships sell over 50 different types of farm machinery. When a dealership closes in one community, farmers have to travel great distances to find a similar dealership.

I know that in my riding of Barrie-Simcoe-Bradford, we have very strong areas of agriculture; for example, in the Holland Marsh, up through Bond Head, in the town of Innisfil and through areas such as Lefroy and Guilford. Certainly they are strong areas of agriculture. I know that a local distributor, Church's Farm Supplies on Innisfil Beach Road, would have an interest in this piece of legislation.

I support it, and I urge other members to do so also.

**Mr John Hastings (Etobicoke North):** I want to commend the member for Haldimand-Norfolk-Brant for introducing Bill 76. Some people may wonder why an urban member would be remotely interested in this piece of legislation. I think it primarily has to do not only with the merits of this bill but with the implications of this bill for urban Ontario, if not for Canada.

I see the implications as being enormously significant from several perspectives. First, city people, in some instances, do not understand where their source of food comes from. If your source of food rises because of lack of competition in rural and small-town Ontario, that is going to have a major impact on consumers' food bills, whether they live in urban, rural or small-town Ontario.

It also has a health consequence, in my estimation, because if you have lessened competition in rural Ontario and do not have an anchor in terms of competition, then you have fewer farmers producing a wide variety of foods, some of which, I note in the member's presentation—he certainly emphasized the production of ginseng, and ginseng has pretty potentially important and practically significant applications for alternative and complementary health care. The member across the way, Mr Kwinter—I'm violating my own rules now—brought in a bill dealing with this issue.

In my estimation, such a piece of legislation not only has economic value to rural and small-town Ontario, but has widespread implications for food consumers in urban Ontario. Specifically in Etobicoke, we have a farmers' market which every June through October brings an excellent variety and choice of food that won't necessarily be available if we do not get the member for Haldimand-Norfolk-Brant's bill passed today, hopefully unanimously. It has impacts for farmers' markets in Weston and for the St Lawrence market in the old city of Toronto, which I know is highly used during the weekends.

It's important to understand that unfortunately a bill like this seems not to get much reportage from the urban media. We don't see anybody here in the galleries. I would issue a challenge to the urban media to take a little more interest in farm and small-town Ontario issues such as this—it's very key, I think—and also educate the food consumer on what the barriers are in terms of economic problems in rural and small-town Ontario.

I'm very happy and enthusiastic to endorse a bill such as this, which would bring greater competition, but more so, add greater economic stability to rural Ontario, because in a global marketplace we are interlinked. If we do not support a bill such as this, we do so at the peril of the well-being of Ontario's population as a whole. I think this is an excellent bill and that the member has brought forth a valuable issue in this regard.

**The Deputy Speaker:** Response?

**Mr Barrett:** I listened with interest to the debate, to the contributions from the members opposite representing Elgin-Middlesex-London and, of course, Timmins-James Bay, an MPP who continues to contribute.

I see some speakers are in favour of sending this to committee. Perhaps in response to the MPP from Timmins-James Bay, Gilles Bisson, the issue of dealer purity is not clearly spelled out in this legislation. I recognize that, and I understand this can be covered by regulation, which reinforces the importance of further contributions from all three parties before a standing committee, if members are amenable to that.

I do appreciate the support from my neighbour, MPP Steve Peters, the agriculture critic for the Liberal Party, and I appreciate his pointing out that support for this bill lies not only with the OFA, the Ontario Federation of Agriculture, but also the Christian Farmers and the National Farmers Union.

Of course, I continue to welcome advice, ideas and information from my caucus colleagues the agriculture PA Doug Galt, from Northumberland; Joe Tascona, from Barrie-Simcoe-Bradford; and the contribution from the urban Toronto perspective by MPP John Hastings, from Etobicoke North.

It may be argued that we are intruding on the private sector. However, farmers' choice as far as purchasing the best available equipment is being whittled slowly away, and therefore competition and choice are being reduced. As the member for Etobicoke North pointed out, the result is artificially rising prices, not only for farmers but for consumers.

**The Deputy Speaker:** The time allocated for debating this ballot item has expired.

## FRANCO-ONTARIAN EMBLEM ACT, 2001

### LOI DE 2001 SUR L'EMBLÈME FRANCO-ONTARIEN

**The Deputy Speaker (Mr Michael A. Brown):** We will now revert to dealing with ballot item 15, standing in the name of Mr Lalonde.

Is it the pleasure of the House the motion carry? Carried.

Pursuant to standing order 96—

**Mr Gilles Bisson (Timmins-James Bay):** On a point of order, Mr Speaker—

*Interjections.*

**Mr Bisson:** There's nothing out of order. That was a point of order.

**The Deputy Speaker:** We're in the middle of a vote.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** On a point of order, Mr Speaker: I would ask for unanimous consent that this bill be ordered for third reading.

**The Deputy Speaker:** Mr Lalonde has asked for unanimous consent that this bill be ordered for third reading. Agreed? Agreed. The bill will be ordered for third reading.

## FARM IMPLEMENTS AMENDMENT ACT, 2001

### LOI DE 2001 MODIFIANT LA LOI SUR LES APPAREILS AGRICOLES

**The Deputy Speaker (Mr Michael A. Brown):** We'll now deal with ballot item number 16. Mr Barrett has moved second reading of Bill 76, An Act to ensure fairness, to foster competition and consumer choice and to encourage innovation in the farm implement sector. Is it the pleasure of the House that the motion carry? Carried.

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I would ask the Legislature to consider referring this bill to the standing committee on general government.

**The Deputy Speaker:** Agreed? Agreed. So ordered.

All matters relating to private members' public business being complete, this House stands adjourned until 1:30 of the clock.

*The House recessed from 1202 to 1330.*

## MEMBERS' STATEMENTS

### HOME CARE

**Mr Monte Kwinter (York Centre):** A year and a half ago, a constituent of mine, Reta Lebofsky, 82, received a heart valve replacement and, while on the operating table, suffered a stroke, leaving her left side weakened. She spent several weeks in rehabilitation, and when she went home, she was determined to look after herself with the assistance of her 85-year-old husband, who suffers from Tourette's syndrome. They managed to be self-sufficient until three weeks ago, when Mrs Lebofsky was sent home from the hospital with undiagnosed blood loss and congestive heart failure.

Both her family physician and her social worker convinced her that she needed home care and released her from hospital on June 1 in the belief that she would receive this care. That same day, the North York Community Care Access Centre froze home care provisions for new clients, creating a six- to eight-month waiting list, and Mrs Lebofsky was denied home care. Although qualified to receive care, she will have to be put on the six- to eight-month waiting list, because the community care access centre claims they are running at a deficit and can no longer provide the necessary care for all the sick and elderly in North York.

Judy Edgar, Mrs Lebofsky's daughter, says, "It is horrifying to me to think that poor, fragile people who are unable to look after themselves are put in this incredibly vulnerable situation." I totally agree.

### PROCTOR HOUSE MUSEUM

**Mr Doug Galt (Northumberland):** I rise in the House today to announce the official opening of the Proctor-Simpson Barn, which will take place in Brighton, Ontario, on July 1. The Proctor-Simpson Barn is situated in Proctor Park, and its opening will be part of the Canada Day festivities.

The ribbon-cutting ceremony will take place at 2 pm and will represent the extensive work that has been done over the past 14 months since the sod-turning in April 2000. There will be two great-granddaughters of John E. Proctor in attendance at the official opening: Cheryl Proctor of California and Tracey Proctor of Alberta.

Volunteers were wonderful in the creation of the Proctor-Simpson Barn, giving their time and dedication to the development of a traditional building. The Save our Heritage Organization has been magnificent in making sure the Proctor House and now the barn are

finished and maintained for the period from 1840 to 1889.

The Gerry and Rene Simpson barn was donated, along with barnboards and other materials from five different barns, and used in the construction by the Loyalist Timber Framers. Materials used for the landscaping around the barn came from the old Simpson and Proctor barns. The cost of the barn has been estimated at \$110,000, which includes \$45,000 for the framing and reconstruction, as well as \$60,000 for materials.

The Proctor-Simpson Barn will be a wonderful asset to the community and will enhance the existing Proctor House Museum. The barn will now be a part of this wonderful historic tour of Proctor House.

### SKILLS TRAINING

**Mr Tony Ruprecht (Davenport):** It is no secret that there is currently a serious skills shortage in most sectors of our economy, whether it's construction or technology. But what is a secret is how many skilled workers are leaving Ontario to go to the United States or Europe. What are those numbers? The government is hiding the numbers of our brain drain. The reason is obvious.

But let's first ask ourselves the reasons why our best and brightest are leaving for the US or Europe. What are those reasons? Number one, government bungling: imagine first firing 3,000 nurses and then trying to woo them back with incentives and other kinds of enterprises. The other reason there is a brain drain is because of a piecemeal approach by this government. Imagine, we are right now training 30 doctors when the need out there is 1,000. Our communities are crying out for physicians.

This reminds me of the Conservative approach of holding a finger in one dike at a time until the flood crashes down on us. This is not the way to work. McGuinty Liberals have a plan that was voted on by this House—unanimously accepted. It was voted for by the Conservatives, voted for by the NDP. That plan is on your table, and it says, "Help the Liberals to stop the flood. Help the Liberals to ensure there's no brain drain."

### DURHAM ROWING CLUB

**Mr John O'Toole (Durham):** I have a very important announcement on my riding of Durham. A 1999 Ontario Trillium Foundation grant of \$110,000 over a three-year period and fundraising efforts have made a very important program available to my constituents.

I would like to mention some of the people involved with the Durham Rowing Club. The members would be Michael Maher, Cynthia Drewry, Chris Rutherford, Pat Van Egmond, Michaela Innes, Brian Gardner and Pat Doherty.

I'm talking about a program in my riding of Durham which is the Durham Rowing Club in Port Perry, offering programs to youth, the opportunity to get involved with rowing both as a team and on an individual level.

Last Saturday, June 16th, was the third Annual Scugog Invitational Rowing Regatta on Lake Scugog in Port Perry. With nine teams from across Ontario competing in the regatta, the Durham Rowing Club won six gold medals and silver in five other events.

The rowing club works with teenagers from area high schools in Port Perry, Oshawa and Bowmanville. The club is working closely with several high schools developing and running programs, and I should mention that their high school program is open to students from all over Durham.

The Durham Rowing Club is also reaching out in the community with their new outreach program for individuals with special needs. The free program offers children with special needs from the age of 12 and up an opportunity to get involved in adaptive rowing. They are extending invitations to groups like Big Brothers and Big Sisters as well as Central Seven Association to participate. The Durham Rowing Club also has a team of hard-working volunteers who look after their transportation to the clubhouse.

I'd like to thank the members and the rowing club and those participants for making Durham a great place to live.

#### COMMUNITY CARE ACCESS CENTRES

**Mrs Sandra Pupatello (Windsor West):** Here we go again—another Tory minister shooting from the lip; this time the seniors' minister last Tuesday. Cam Jackson said the community care access centres were cut in 1990. Oops, we didn't have community care access centres in 1990. Then he said home care was cut in 1990. Oops, home care grew every year during a Liberal government. What was the ploy on the other side? Trying to influence the by-election in Vaughan-King-Aurora.

This government is specifically clueless when it comes to health care and especially in York region. There's only one government cutting services to home care, and that's the Mike Harris government.

This year specifically the York region has a \$12-million shortfall in providing home care services to the people of York region. What do the candidates have to say in the by-election of Vaughan-King-Aurora? That Tory candidate couldn't even show up for a health care debate in York region.

Would you tell us the importance and the priority of home care services for that Tory candidate, which is just a reflection of this group here that we have to deal with day in, day out? There are working families in York region that expect to have home care services for their parents and for their grandparents. We demand it, and we insist on it.

#### SERVICES EN FRANÇAIS

**M. Gilles Bisson (Timmins-Baie James) :** Monsieur le Président, par cette déclaration, j'aimerais amener

vosre attention à une situation qui m'est arrivée hier au comité des estimés.

Comme vous le savez, on a l'habitude d'avoir les estimés chaque printemps, où les membres de l'Assemblée ont la chance de demander aux ministres responsables de leurs ministères des questions faisant affaire avec leurs dépenses à travers le comité des estimés.

Hier, j'ai eu l'occasion de demander des questions à M<sup>me</sup> Ecker, la ministre responsable de l'éducation. Quand j'ai essayé de demander mes questions en français au comité, je me suis trouvé dans une situation où il n'y avait aucun mécanisme pour faire la traduction de mes paroles pour que la ministre et les autres députés puissent me comprendre.

Monsieur le Président, je veux vous dire comme francophone, vous le savez, qu'on a sous la loi l'habilité d'être capable de parler en français, non seulement ici à l'Assemblée mais aussi à travers nos comités. J'ai fallu ajourner ce comité pour une heure pour avoir l'occasion d'avoir le monde rentrer pour mettre en place tout l'équipement nécessaire pour faire la traduction simultanée. Ce n'est pas acceptable. Cet équipement a besoin d'être là.

Avec ça, j'ai demandé que la prochaine fois que le comité siège, ce comité soit amené à la chambre 151, où l'équipement est déjà en place, parce que moi, comme député francophone, un député qui veut demander des questions en français, j'ai besoin de l'habilité de le faire. Je vous demande, monsieur le Président, de m'assister pour s'assurer que ce comité va être à la chambre 151 la semaine prochaine.

1340

#### HEALTH CARE

**Mr R. Gary Stewart (Peterborough):** Since 1995, the Ontario government has made magnificent health care investments in my riding of Peterborough. We have seen improvements that will have a long-term effect on the health and quality of life of our residents.

For instance, the heart catheter lab, a swing lab that is one of the most modern in the world, was opened at the Peterborough Regional Health Centre in 2000.

With an aging population and more incidence of kidney disease requiring dialysis, Peterborough has had a privately run dialysis lab up and running since 1996, and in October 2000 a new dialysis unit was announced at the Peterborough Regional Health Centre.

I was very pleased that our government announced last year that a new hospital is also to be built in Peterborough.

Tomorrow, another milestone will take place in health care for Peterborough: the official opening ceremony of the MRI at the Peterborough Regional Health Centre. These images provide a wealth of information as they allow a doctor to see clearly inside the body at any angle. This is another example of our government's commitment to providing quality health care to Peterborough and to all Ontarians. The new MRI in Peterborough will

ensure that the people of the area will receive the care they need closer to home.

### NATIONAL ABORIGINAL DAY

**Mr Gerry Phillips (Scarborough-Agincourt):** On behalf of Dalton McGuinty and the Ontario Liberal caucus, I am pleased to pay tribute to our First Nations and to encourage all Ontarians to recognize today, June 21, as National Aboriginal Day.

It is appropriate for all of us to reflect on the very unique role our First Nations have played. After all, this is their land. All of us, either ourselves or our ancestors, have chosen to come to this country to join our First Nations. They welcomed newcomers. They had an enormous sense of generosity that all of us can learn from.

They also offered us much to learn. I don't think any nation cares more about the environment than our First Nations. They truly take a long-term view of society, and they, perhaps in the world, have understood that the care and nurturing of our environment is fundamental. In fact, in Huron and Iroquois the word "Ontario" means "beautiful, sparkling, shining water."

Our First Nations also have a spirit of generosity and an enormous respect for others, particularly for their elders.

Today, we should reflect on all we can learn from them and recognize that we have much to do to mend some of the broken fences that exist between our First Nations and the governments of this country.

### FIESTA WEEK

**Mr Jerry J. Ouellette (Oshawa):** This past weekend, the community of Oshawa kicked off its 40th annual cultural festival, known as Fiesta Week, with a parade of floats and marching bands followed by awards and six days of international pavilion displays.

As part of Oshawa's cultural heritage, Fiesta Week brings together the people of Oshawa for a week's celebration of our city's multicultural heritage.

Fiesta Week provides over 100,000 people with an opportunity to examine our community's diverse culinary, dancing and musical talents from a wide variety of multicultural backgrounds.

During this week of June, various cultural communities in Oshawa operate pavilions which feature food, dance and entertainment of their particular culture, including Lviv, Dnipro, Odessa, General Sikorski in Mr O'Toole's riding, Roma and Loreley, just to name a few.

This year's annual parade was on Father's Day, with over 2,000 participants, and made its way around Oshawa Centre to thousands and thousands of viewers.

The numerous dedicated volunteers with the Oshawa Folk Arts Council have worked diligently throughout the year to make Fiesta Week the success it has been each year, and I am confident that 2001 will be no exception.

I would personally like to congratulate all those for the thousands of hours they contribute to making Fiesta Week happen.

I would like to invite the members of this House and all the people of Ontario to visit Oshawa and participate in one of Ontario's premier summer festivals.

### SPECIAL REPORT, ENVIRONMENTAL COMMISSIONER OF ONTARIO

**The Speaker (Hon Gary Carr):** I beg to inform the House that today I have laid upon the table the special report of the Environmental Commissioner of Ontario, entitled *Broken Promises: MNR's Failure to Safeguard Environmental Rights*.

### ANNUAL REPORT, OFFICE OF THE OMBUDSMAN

**The Speaker (Hon Gary Carr):** I further beg to inform the House that I have today laid upon the table the 2000-01 annual report of the Ombudsman.

### SPEAKER'S RULING

**The Speaker (Hon Gary Carr):** Yesterday, the member for Niagara Centre (Mr Kormos) raised a point of privilege concerning the report of the Ombudsman on the investigation into the Ministry of Health and Long-Term Care's funding for breast and prostate cancer patients who must travel for radiation treatment.

Prior to ruling on the member's point, I would just like to address standing order 21(c), which requires written notice to the Speaker of intention to raise a point of privilege. Since the introduction of this provision in the standing orders in 1997, the practice has developed that the written notice given in advance to the Speaker must contain a reasonably full description of the point to be raised and how the member relates the issue at hand to his or her privileges.

The Speaker has in the past, for example on November 18, 1999, declined to hear a point of privilege because the written notice did not contain details about the matter to be raised. Though I did permit the member for Niagara Centre to make his point yesterday based on a somewhat vague written notice, I want to advise him now that I will not in future be as lenient and will require compliance with the letter and spirit of the standing order and adherence to the developed practice of meaningfully comprehensive written notice.

Turning now to the member's point of privilege, the member asserted that the statement by the Ombudsman in his recent report leads to, and I quote, "only one conclusion that we can draw as a result of this, and that is that there was an effort on the government's part to conceal and certainly to inhibit access by the Ombudsman to certain information," and that "the government's obstruction—and in this instance I submit that it is

obstruction; it's the only inference that can be drawn from the words of the Ombudsman—of the Ombudsman's information request constitutes contempt of this Legislature.”

I do not share the member's view that the result of the application by the Attorney General of his statutory authority to decline to provide certain documents to the Ombudsman in the course of his investigation represents an obstruction of the officer of the Legislative Assembly in the performance of his duties or a contempt of this House.

I am not of the view that the Ombudsman's statement in his report represents either an assertion that he was wilfully obstructed in the performance of his duties, or an appeal to the House to somehow come to the aid of one of its officers. The Ombudsman is quite clear in acknowledging the legitimacy and the authority of the Attorney General to withhold documents. The Ombudsman laments that this “limited the scope of [his] investigation,” but he does not assert that the occurrence was maliciously obstructive.

This is substantially different from the circumstances the Speaker faced when considering a point of privilege from the member for Renfrew-Nipissing-Pembroke (Mr Conway) in May 2000, concerning the Information and Privacy Commissioner's report relating to the Province of Ontario Savings Office. In that instance, an officer of this House recounted a very specific opinion that an attempt had been made to frustrate her investigation. In ruling on this point on May 18, 2000, I had become convinced that, on the face of it, the case had indeed been made by Mr Conway that the Commissioner was obstructed in the performance of her duties without valid or justifiable reason.

In the case at hand, I do not similarly see that lack of complete co-operation with an officer of the House is alleged to have occurred without justification and explanation, or that it was malicious.

The Speaker cannot assign relative merit to the requests from the Ombudsman for certain documents versus the decision of the Attorney General to decline the requests. It is to be assumed the Ombudsman decided that access to the requested material might assist him in his review of the matter. On the other side, it is likewise to be assumed that the Attorney General carefully considered the requests, but determined that it was not in the public's interest for the materials to be released. The Ombudsman acknowledges the Attorney General's authority to do so. It is obviously not for the Speaker to assess the reasonableness of a statutorily supported decision by the Attorney General to decline to provide materials to the Ombudsman.

I therefore find that a prima facie case of contempt has not been made out.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of privilege, Mr Speaker: As the bells began to ring to draw members to the House this afternoon, there was a quite remarkable press conference still underway downstairs with respect to the Ministry of Natural Resources.

It would be our desire to raise a point of privilege with respect to that particular circumstance. However, given the timing of the press conference, it was impossible to raise that issue or provide you with one hour's written notice. We are in process of doing that as we speak, Mr Speaker. I wondered, would it be appropriate now? Would you be in a position to allow me to raise that point of privilege right now or will we be able to raise it later in today's proceedings?

1350

**The Speaker:** We'll confer over the standing orders.

I would refer the member to 21(c), which says, “Any member proposing to raise a point of privilege, other than one arising out of proceedings”—and then it says in very clear detail—“in the chamber,” so unfortunately we won't be able to hear it, but I'm sure you'll be able to put a point together and obviously at that time I would like to hear it.

**Mr Duncan:** Thank you, Mr Speaker, for that. If we provide you with that letter momentarily, you will hear that point of privilege today?

**The Speaker:** We need an hour's notice.

**Mr Peter Kormos (Niagara Centre):** Mr Speaker, on a point of order: I simply wanted to thank you for your ruling. As you know, gratitude isn't equal to pleasure, but also, acknowledging that we will be undoubtedly putting forward points of privilege, I've taken special notice of your admonition regarding the notice.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON GENERAL GOVERNMENT

**Mr Steve Gilchrist (Scarborough East):** I beg leave to present a report from the standing committee on general government and move its adoption.

**Clerk at the Table (Ms Lisa Freedman):** Your committee begs to report the following bill as amended:

Bill 34, An Act to amend the Occupational Health and Safety Act to increase the penalties for contraventions of the Act and regulations.

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted? Agreed.

The bill is therefore ordered for third reading.

### STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** I beg leave to present a report from the standing committee on finance and economic affairs and move its adoption.

**Clerk at the Table (Ms Lisa Freedman):** Your committee begs to report the following bill without amendment:

Bill 45, An Act to implement measures contained in the 2001 Budget and to amend various statutes.

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1352 to 1357.*

**The Speaker:** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Amott, Ted  
Baird, John R.  
Barrett, Toby  
Beaubien, Marcel  
Chudleigh, Ted  
Clement, Tony  
Coburn, Brian  
Cunningham, Dianne  
DeFaria, Carl  
Dunlop, Garfield  
Ecker, Janet  
Elliott, Brenda  
Flaherty, Jim  
Galt, Doug  
Gilchrist, Steve  
Gill, Raminder

Guzzo, Garry J.  
Hardeman, Ernie  
Hastings, John  
Hodgson, Chris  
Hudak, Tim  
Jackson, Cameron  
Johnson, Bert  
Marland, Margaret  
Martiniuk, Gerry  
Maves, Bart  
Mazzilli, Frank  
Miller, Norm  
Molinari, Tina R.  
Mushinski, Marilyn  
Newman, Dan  
O'Toole, John

Ouellette, Jerry J.  
Runciman, Robert W.  
Sampson, Rob  
Snobelen, John  
Spina, Joseph  
Stewart, R. Gary  
Stockwell, Chris  
Tascona, Joseph N.  
Tilson, David  
Tsubouchi, David H.  
Turnbull, David  
Witmer, Elizabeth  
Wood, Bob  
Young, David

**The Speaker:** All those opposed to the motion will please rise one at a time and be recognized by the Clerk.

#### Nays

Agostino, Dominic  
Bisson, Gilles  
Bountrogianni, Marie  
Boyer, Claudette  
Bradley, James J.  
Brown, Michael A.  
Bryant, Michael  
Christopherson, David  
Churley, Marilyn  
Colle, Mike  
Cordiano, Joseph

Crozier, Bruce  
Di Cocco, Caroline  
Duncan, Dwight  
Hampton, Howard  
Kennedy, Gerard  
Kormos, Peter  
Kwinter, Monte  
Lalonde, Jean-Marc  
Levac, David  
Marchese, Rosario  
Martel, Shelley

Martin, Tony  
McLeod, Lyn  
Peters, Steve  
Phillips, Gerry  
Pupatello, Sandra  
Ramsay, David  
Ruprecht, Tony  
Sergio, Mario  
Smitherman, George

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 46; the nays are 31.

**The Speaker:** I declare the motion carried.

## INTRODUCTION OF BILLS

### RESCUING CHILDREN FROM SEXUAL EXPLOITATION ACT, 2001

#### LOI DE 2001

### SUR LA DÉLIVRANCE DES ENFANTS DE L'EXPLOITATION SEXUELLE

Mr Young moved first reading of the following bill:

Bill 86, An Act to rescue children trapped in the misery of prostitution and other forms of sexual exploitation and to amend the Highway Traffic Act /  
Projet de loi 86, Loi visant à délivrer les enfants prisonniers de la prostitution et d'autres formes d'exploitation sexuelle et modifiant le Code de la route.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The Attorney General for a short statement?

**Hon David Young (Attorney General, minister responsible for native affairs):** Mr Speaker, with your leave, I'll make the statement during the ministers' statement period.

### 237661 BUILDERS LIMITED ACT, 2001

Mr Bartolucci moved first reading of the following bill:

Bill Pr10, An Act to revive 237661 Builders Limited.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### SEXUAL EXPLOITATION OF CHILDREN

**Hon David Young (Attorney General, minister responsible for native affairs):** Every day Ontario's children, whether they live in or come from urban or rural communities, are vulnerable to becoming victims of truly horrifying abuse. Children, some as young as 12, are being sold for sex, forced to turn tricks on street corners, enslaved in strip clubs and massage parlours, and used to sell sex on telephone and Internet lines. These children are treated like objects. They are used and they are discarded.

Every day the physical well-being of these children is put at risk: at risk of beatings, rapes, and in some cases, murder. Every day their emotional well-being is chipped away so that in some cases they actually believe they deserve this abuse. This is a horrific experience that few of us can imagine and none of us believe is acceptable.

Ontario's children deserve better. Ontario's children deserve to be rescued from predators, from pimps, from johns, from other adults who sexually exploit them for commercial gain. Ontario's children deserve to be in safe places, where they can be cared for by people dedicated to helping them become healthy, contributing adults.

A few moments ago in this assembly, I stood and introduced the Rescuing Children from Sexual Exploitation Act for first reading, a bill that if approved by this House would do just that. The proposed bill would provide tools to allow sexually exploited children to be removed from dangerous situations and would allow the government to target their abusers.

People who care most about these children are often confronted with barriers when they try to help these young people. Parents, police and child protection workers want more tools, want tools to remove these young people from what are indeed life-threatening situations. Indeed, Ontario's current laws only allow police and child protection workers to remove a child

from the dangers of sexual exploitation if they are under the age of 16. Even then, the ability to provide meaningful assistance is in many cases very, very limited.

Under the Rescuing Children from Sexual Exploitation Act, police and children's aid society workers would be permitted to enter trick pads, massage parlours and adult entertainment facilities to free children under the age of 18 from these dangerous places, places where they are robbed of their childhood. Why? They are robbed of their childhood for the commercial gain of adults.

For up to 30 days, in the discretion of the court, the children would be placed in a safe locale where they are surrounded by adults whose interest is to care about them and care for them. They would be linked to services, services that would help them start a new life, help them begin what is indeed a long journey back, a journey back to recovery; services such as medical care, drug and alcohol counselling, mental health services and indeed specialized legal services in some situations.

Earlier this year our government came forward with its budget, a budget that announced that \$15 million would be spent every year on services to help break the cycle of youth prostitution. No matter how well intentioned our acts may be, we must be mindful, indeed we must be respectful, of the rights of individuals. That is why we have built upon the Alberta experience and similar legislation in at least one other province in this country and included that in the proposed act. We have bills that will indeed ensure due process and that respect the rights of children.

Within 24 hours, or as soon as possible after being rescued, a judge, or justice of the peace in some situations, would review the legal authority and the validity of the action. At a second hearing, which would take place within five days, the court would be able to make a number of decisions, decisions that are based upon the best interests of the child. Those decisions could include extending the placement for up to 30 days, returning the child to his or her parents—that would only happen if appropriate supervision were provided. The decision of the court may also include, in certain cases, that further intervention is not necessary.

But let's be clear: the one principle that will guide any decisions that are made is the best interests of the child. We want to ensure that the child's privacy is protected, protected through what could be, without those protections, a difficult transition. That is why we are proposing that all the proceedings would be closed to the public.

Helping these young victims is indeed our priority. However, at the same time, we believe that this is an appropriate time to send a message to adults who victimize these children. Consequently, the proposed bill sets out measures that would target those who exploit these children for profit. If passed, the Rescuing Children from Sexual Exploitation Act would permit the suspension of drivers' licences of pimps and johns. The actions of these predators have a high emotional and a high physical cost to the victims. The cost of treating these victims is indeed assumed, and will be assumed, by the taxpayers of this province. Providing services to

victims is an entirely appropriate way to use taxpayers' money.

**1410**

Predators paying back this money to taxpayers is also most appropriate. That's why our government has come forward with this bill on behalf of the taxpayers of this province that would allow the province to sue those individuals abusing and exploiting young people—sue them—to recover treatment dollars. If the bill is passed, the government would initiate lawsuits against pimps, massage parlour owners and operators of adult entertainment facilities and indeed anyone—anyone—who sexually exploits children for commercial purposes. We would do so to recoup taxpayers' money for the cost of that treatment and the services required by the child victims.

I wish to commend the member opposite, Mr Bartolucci from Sudbury, for his work in helping in relation to this initiative. I will say that I believe that the bill we have tabled will be more effective in protecting these vulnerable children than would Mr Bartolucci's private member's bill. I'll give you one example of that, if I may, and that is that Bill 22—that's the member from Sudbury's bill—attempts to create a provincial offence against pimps and johns, which is likely outside the scope, in our respectful opinion, of provincial jurisdiction. The government bill, if I may focus on the bill that I introduced today, would target pimps and johns in a manner that more clearly falls within provincial jurisdiction. Still, as I indicated a moment ago and I am pleased to repeat, I'd like to acknowledge Mr Bartolucci's sincere and heartfelt efforts.

In conclusion, let me say that sexual exploitation of children is indeed a complex social problem. There are no easy answers. There are no one-step solutions. I don't stand in the House today and pretend for a moment that the bill we've brought forward is a panacea or a quick fix of this very, very serious and long-standing problem. But I do sincerely believe that it is a first step; I do sincerely believe that it is a big step. I think it is a step that is necessary toward breaking what is indeed a desperate cycle of victimization. It is a big step forward toward healing many of the children within this province and it is a big step forward toward giving children a chance at a better life. Ontario's children deserve nothing less.

**Mr Rick Bartolucci (Sudbury):** On behalf of Dalton McGuinty and the Ontario Liberals, I'd like to say to the Attorney General we're just happy that you brought something forward finally. You'll know that we first introduced this legislation on May 12, 1998. It received second reading and it went to public hearings. We had three days of public hearings, two days of clause-by-clause and we heard from over 50 groups, all talking about the importance of instituting this legislation immediately.

So when the minister says he's very, very serious about this legislation, I have to question just how serious they really are. You will remember that on December 19, one week before the House adjourned at Christmas, another Attorney General brought in a bill. It died when

the House was prorogued. So today we get another bill one week before the House is supposed to adjourn talking about what we're going to do to protect the vulnerable children that we have in Ontario.

I suggest to this government that we move this bill to committee as quickly as possible, that we use the summer to travel across the province, because as well intentioned as this government may be, there are a number of weaknesses with regard to this bill that require public input, that require modifications and amendments, and we would hope that the government is serious about bringing in strong legislation. Right now, as the Attorney General said, and I'll give him credit for this, it's a good first step. I would suggest to the Attorney General any bill that's brought forward so we can debate and have public input into it is a good first step.

You say that our children should be a priority. If in fact our children are such a priority with this government, I would have hoped that this government would have passed the bill they introduced on December 19. In the six months that have elapsed since then, Alberta's legislation, which is very similar to my legislation, has proved to be extremely beneficial to the vulnerable children of Alberta. Where there used to be between 16 and 20 teens on the street in any given month, the police force out there, the juvenile task force, is down to having to deal with only one.

In the last six months there have been 70 provincial charges laid against customers. We call them johns, but I want to be very polite to the people from R.L. Beattie who are in the audience today, and tell them that we'll call them customers for today. But do you know what? If Alberta can punish customers who exploit children through sexual abuse, then I would suggest Ontario can do the same thing.

One thing the minister said that I am in complete agreement with is that perpetrators should be punished. That's why I'm wondering why, in the legislation, they haven't incorporated what I did in my legislation, which said that any john or pimp should be fined \$25,000 and put in jail for up to 24 months. Alberta's legislation is very tough; I would hope Ontario's legislation is very tough.

There has to be a new definition of what we call "sexual exploitation," because there is a huge underground market for abusing children and it's called the Internet, sex lines, massage parlours, adult entertainment parlours etc. That's why in my Bill 24 I said we should redefine what adult entertainment parlours were so that, if anyone who has an adult entertainment parlour licence is found to have anyone under 18 years of age on their premises, on a second offence they are punished to the tune of \$250,000 and put in jail. That's tough legislation. That was in my Bill 24.

I would suggest to this government, you're right, it's a good first step, but you have to go a lot farther than you're going. I suggest to you that you send this bill to committee, that you travel across the province, that you make sure you incorporate the recommendations I put in

Bills 22, 23 and 24. If you do that, then you will have sound legislation to protect vulnerable children. If you do that, you will have legislation that has some teeth in it. If you do that, you will be sending a message to those perpetrators that in fact you do care about vulnerable children, that in fact you do want to put laws in place that will protect them, that in fact vulnerable children are important in Ontario, not political posturing.

**Mr Peter Kormos (Niagara Centre):** New Democrats share in the repugnance of this exploitation of children, this violence against children, this sexual abuse of children.

Ms Martel has explained to me her still vivid recollections of the committee hearing Mr Bartolucci referred to, when she joined Mr Bartolucci and listened to the father of a young child who had been lured, abducted, reeled into the world of prostitution, the pain of that family as they searched for their daughter and the desperation and frustration as they tried to rescue their daughter from that violence—and it's nothing less than absolute, total violence.

New Democrats—and Shelley Martel, with her attendance at that hearing and her personal contact—are eager to see protection of children advance. I also want to tell you that New Democrats recognize the motivation of Mr Bartolucci, who is as much the author, I suspect, of this bill as he was of the bill he brought before the House as a private member's bill. His motive, as is every just-minded and fair-minded person's, is to protect children from this rape of their bodies by pimps and johns.

But I say this to the government: the children of Cornwall were victims of sexual exploitation and sexual violence too. For the Attorney General today to trumpet this rewritten bill by a Liberal private member without similarly telling us that his government is going to conduct the public inquiry into the child abuse allegations and the subsequent failed investigation, I say leaves something lacking in the Attorney General's statement today.

1420

The kids of Cornwall were raped as well, yet this government has not served them. This government has not served those children. This government has not sought justice for those kids, notwithstanding the ongoing and courageous efforts of its own member for Ottawa West-Nepean.

So I say to the Attorney General, yes, we'll entertain and consider this bill. You tell us, though, that there's going to be an inquiry into the Cornwall allegations of child sexual exploitation and cover-up in terms of the investigation.

Attorney General, you're talking about taking away pimps' licences, for Pete's sake. Read the papers; it's remarkable. Just this morning, I read in the Toronto newspaper of two convictions for living off the avails of prostitution: experienced crown attorney Calvin Barry prosecuting, a woman sold for \$15,000 to pimps, and then able to earn that \$15,000 price and held until that \$15,000 price is paid to her pimps on the basis of her performing 350 sexual services. The penalty imposed on

these two pimps? Conditional sentences, not a day in jail, not a penny in fines, for a woman being traded like a chattel and then forced to engage in, it was calculated, 350—let the counter run.

Attorney General, please listen, because I would have expected you to stand up in this Legislature today as Attorney General and tell us that you're instructing your crown attorney to appeal that sentence. You talk about getting tough on pimps and johns, and two pimps who traded a woman like she was a chattel, like she was a piece of furniture, and forced her to commit 350 sex acts in that calculated sort of way to earn back the \$15,000, get conditional sentences.

I want the Attorney General to know that New Democrats are well aware of some of the difficulties inherent in this legislation: the manner of seizure and detention of innocent people, in fact of the victim. We urge this Attorney General and the Solicitor General to give our police forces the resources they need, the staffing they need, so they can be out there busting the pimps, rescuing the victims and ensuring that the pimps are fully prosecuted and sentenced to jail, where they belong. We're going to be paying very careful attention to the progress of this bill through committee. We're eager to listen to the representations by way of witnesses.

**Hon Mr Young:** On a point of order, Mr Speaker: I've listened with interest to what the opposition Liberals and New Democrats had to say over the past short while. I listened as they indicated that they thought there was a need for urgent action. So it is with that in mind that I stand to ask for unanimous consent to move and immediately have the question put on second and third reading of An Act to rescue children trapped in the misery of prostitution and other forms of sexual exploitation and to amend the Highway Traffic Act.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? I'm afraid I heard a no.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: I seek unanimous consent to introduce a motion that would have this bill sent to committee throughout the summer; to have hearings in Sudbury, Windsor, London, Toronto, Kingston and Ottawa.

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noes.

## DEFERRED VOTES

### MPP COMPENSATION REFORM ACT (ARM'S LENGTH PROCESS), 2001

### LOI DE 2001 PORTANT RÉFORME DE LA RÉTRIBUTION DES DÉPUTÉS (PROCESSUS SANS LIEN DE DÉPENDANCE)

Deferred vote on the motion for second reading of Bill 82, An Act to amend the Legislative Assembly Act to provide an arm's length process to determine members'

compensation / *Projet de loi 82, Loi modifiant la Loi sur l'Assemblée législative pour établir un processus sans lien de dépendance permettant de fixer la rétribution des députés.*

**The Speaker (Hon Gary Carr):** Call in the members; this will be a five-minute bell.

*The division bells rang from 1425 to 1430.*

**The Speaker:** Mr Tsubouchi has moved second reading of Bill 82, An Act to amend the Legislative Assembly Act to provide an arm's length process to determine members' compensation.

All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Agostino, Dominic	Flaherty, Jim	Newman, Dan
Arnott, Ted	Galt, Doug	O'Toole, John
Baird, John R.	Gilchrist, Steve	Ouellette, Jerry J.
Barrett, Toby	Gill, Raminder	Phillips, Gerry
Bartolucci, Rick	Guzzo, Garry J.	Pupatello, Sandra
Beaubien, Marcel	Hardeman, Ernie	Ramsay, David
Bountrogianni, Marie	Hastings, John	Runciman, Robert W.
Boyer, Claudette	Hodgson, Chris	Ruprecht, Tony
Brown, Michael A.	Hudak, Tim	Sampson, Rob
Bryant, Michael	Jackson, Cameron	Sergio, Mario
Chudleigh, Ted	Johnson, Bert	Smitherman, George
Clement, Tony	Kwinter, Monte	Snobelen, John
Coburn, Brian	Lalonde, Jean-Marc	Spina, Joseph
Colle, Mike	Levac, David	Stewart, R. Gary
Cordiano, Joseph	Marland, Margaret	Stockwell, Chris
Crozier, Bruce	Martiniuk, Gerry	Tascona, Joseph N.
Cunningham, Dianne	Maves, Bart	Tilson, David
DeFaria, Carl	Mazzilli, Frank	Tsubouchi, David H.
Di Cocco, Caroline	McGuinty, Dalton	Turnbull, David
Duncan, Dwight	McLeod, Lyn	Witmer, Elizabeth
Dunlop, Garfield	Miller, Norm	Wood, Bob
Ecker, Janet	Molinari, Tina R.	Young, David
Elliott, Brenda	Mushinski, Marilyn	

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Bisson, Gilles	Hampton, Howard	Marchese, Rosario
Christopherson, David	Kennedy, Gerard	Martel, Shelley
Churley, Marilyn	Kormos, Peter	Martin, Tony

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 68; the nays are 9.

**The Speaker:** I declare the motion carried.

Shall the bill be ordered for third reading? I heard a no. Minister, which committee would you like it to go to?

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet):** Committee of the whole House.

**The Speaker:** Committee of the whole House?

**Hon Chris Stockwell (Minister of Labour):** On a point of order, Mr Speaker: I think the committee we wanted to send it to was justice.

**The Speaker:** What we're going to do is ask the minister again. It is his call of what—

*Interjection.*

**The Speaker:** Order. We're going to ask the minister. What he would like to do is his call. I'd just like to make sure that he's sure himself this time, because whatever he says, we're going to go with.

**Hon Mr Tsubouchi:** On a point of order, Mr Speaker: When you asked whether or not the matter will be ordered for third reading and you indicated you heard a no, I believe at that point in time the bill goes to the committee of the whole House unless you have a certain number of members stand.

**The Speaker:** No, it's the reverse. If eight members stand, they can force it to go to committee of the whole. Eight members didn't stand. Having said that, the third party was trying to do something opposite; what they're going to argue now. I'll hear your point of order as well. You were looking for it to go to the committee of the whole, which is what we want to do as well. Proceed, the member for Niagara Centre, on a point of order.

**Mr Peter Kormos (Niagara Centre):** There's some completion here by virtue of the Speaker having taken the proposition. How many kicks at the can do you get? I suppose that's what I'm asking.

**The Speaker:** It is up to the Speaker. I did not clarify where we were going. I looked to him and tried to confirm what he said. The minister has the decision of where he would like to go. Again, we're going to ask the minister, and this time whatever he says I'm going to read it out quickly and it will be his choice—

*Interjection.*

**The Speaker:** Just a minute, please, while I'm standing. There seems to be some confusion. One person makes the decision. It's the Chair of Management Board.

The Chair of Management Board.

**Hon Mr Tsubouchi:** Then the committee on justice and social policy.

**The Speaker:** The committee on justice and social policy.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** On a point of order, Mr Speaker: I would like to ask for unanimous consent for third reading of Bill 18, An Act to recognize the emblem of the Ontario French-speaking community. Je demanderais l'appui unanime de cette Assemblée pour la troisième lecture du projet de loi 18, Loi visant à reconnaître l'emblème de la communauté francophone de l'Ontario.

**The Speaker:** The member has asked for unanimous consent to move second reading—

*Interjections.*

**The Speaker:** Sorry, third reading, just so we're clear. Is there unanimous consent? I'm afraid I heard some noes.

#### VISITORS

**Mrs Sandra Pupatello (Windsor West):** On a point of order, Mr Speaker: I'd just like to take a moment to introduce Sean and Karen Edwards, who are here from the Windsor West riding and sitting in the members' gallery. They have won an auction to have lunch with

their local MPP in support of the Holy Names High School band, travelling to Europe next week. If we could welcome them, that would be great.

**Mr John O'Toole (Durham):** On a point of order, Mr Speaker: I would also like to introduce my page Reuben McRae's parents, Dean and Sandra McRae from Oshawa, as well as their other children, Luke, Megan and Katie. I'd like to welcome you to the Legislature.

#### UNANIMOUS CONSENT

#### CONSENTEMENT UNANIME

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: The government House leader earlier had indicated, and I know the minister had indicated, their support for the bill on the francophone flag. I think all of us are grateful to the government for that. The Francophonie games are this Sunday in Ontario, and I would presume that the New Democrats would not want to stall the blockage of M. Lalonde's very important bill. C'est une chose très importante pour la communauté franco-ontarienne ici en Ontario. J'espérerais que si nous mettions une autre résolution, le troisième parti dans cette Chambre, le Nouveau Parti Démocratique, serait prêt à soutenir cette loi très importante. Alors, s'il est possible, je veux que notre député de Glengarry-Prescott-Russell ait l'opportunité de réintroduire sa résolution. Est-ce que cela est possible? Is it OK?

**The Speaker (Hon Gary Carr):** I'm sorry, you're asking for reintroduction of the—

**Mr Duncan:** Is it OK for the member for Prescott-Russell to rise again on a point of order to attempt to get to third reading of that bill?

**The Speaker:** The member for Glengarry-Prescott-Russell.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I would ask for unanimous consent again for the third reading of Bill 18.

**The Speaker:** There was a point of order first.

**Mr Peter Kormos (Niagara Centre):** Although not a point of order, I would suggest that the Liberal House leader speak with some other House leaders before he asks for unanimous consent, please.

*Interjection.*

**The Speaker:** I think the member for Hamilton East was first.

**Mr Dominic Agostino (Hamilton East):** On a point of order, Mr Speaker: Just to set the record straight, on behalf of our House leader, I spoke with the NDP House leader and advised him that this—

**The Speaker:** Folks, we're not going to get into who did what, back and forth. The points of order aren't going to be used to get the last word in, and I'm going to cut you off.

1440

**Mr Lalonde:** On a point of order, Mr Speaker: I would ask unanimous consent once again to have the third

reading of Bill 18, An Act to recognize the emblem of the Ontario French-speaking community.

**The Speaker:** I will ask again, but in the future let's work these things out behind the scenes, folks, rather than having them in the House and the duelling back and forth between the members.

Is there unanimous consent?

There was so much shouting, it was difficult to hear. I apologize again. I'm going to listen very carefully.

Is there unanimous consent? Agreed.

Now the member is clear. He now gets to move it and he may move.

**Mr R. Gary Stewart (Peterborough):** On a point of order, Mr Speaker: There was a no on that vote.

**The Speaker:** I'm sorry. I listened very carefully. I did it twice. I didn't hear a no in that, and I listened very carefully. I did not hear a no. It is very difficult for Speakers. We've had problems in the past. Half of the problem is half of the members who are speaking and carrying on while this is proceeding. I was very clear and went back twice so that no mistakes were made. I did not hear a no. We are going to proceed.

#### FRANCO-ONTARIAN EMBLEM ACT, 2001

#### LOI DE 2001

#### SUR L'EMBLÈME FRANCO-ONTARIEN

Mr Lalonde moved third reading of the following bill:

Bill 18, An Act to recognize the emblem of the Ontario French-speaking community / Projet de loi 18, Loi visant à reconnaître l'emblème de la communauté francophone de l'Ontario.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** On a point of order, Mr Speaker: On behalf of the Ontario French-speaking community, I want to thank all the members of this Legislative Assembly for their recognition.

**Hon Janet Ecker (Minister of Education, Government House Leader):** On a point of order, Mr Speaker: I would like to seek the unanimous consent of the House with respect to Bill 59, An Act to amend the Police Services Act, referred June 14, 2001. I would like to seek unanimous consent for second and third reading on Bill 59.

**The Speaker:** Just so we're clear, which is probably the best way to do it, we'll write it down so everybody understands what we're doing. What Mrs Ecker is seeking is unanimous consent to discharge the order referring Bill 59, An Act to amend the Police Services Act, standing in the name of Mr Tilson, to the standing committee on justice and social policy and ordering the bill for third reading.

Is there unanimous consent? I heard a no.

## ORAL QUESTIONS

### MINISTRY OF NATURAL RESOURCES

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of Natural Resources. Minister, today the Environmental Commissioner delivered a stinging indictment against you and your ministry, and he tells us that you have been breaking the law by keeping applications and permits that come before the MNR secret.

He filed a special report before this Legislative Assembly and I want to quote from the cover letter. He says, "I am reporting that the Ministry of Natural Resources (MNR) is thwarting public participation and public scrutiny of environmental decision-making by effectively blocking the final steps in a legal process.... I see the need to issue this special report to respond publicly to the long string of broken promises that MNR has made to my office since 1995."

The Environmental Commissioner is telling us we've had six years of government and six years of broken promises. Minister, how do you defend breaking the law; not only that, but for six years running?

**Hon John Snobelen (Minister of Natural Resources):** As I recently said publicly, I think the matter that the Environmental Commissioner brought to the attention of the people of Ontario this morning is an important one. It's important for us to point out that most of the activities of the Ministry of Natural Resources are covered by environmental assessment acts and therefore require EBRs, and we do post those on a regular basis. There are activities that aren't captured. They do require regulatory change in order to be captured and to have those items posted by the EBR.

It has been my practice as minister, whenever there's an option, to post items on the EBR, and sometimes for periods that extend beyond the 30-day minimum. So we are very much in support of that.

There was no excuse whatsoever for not fulfilling the commitments to the Environmental Commissioner from 1995 till the present, and I've apologized to the Environmental Commissioner on behalf of the ministry.

**Mr McGuinty:** Minister, you are absolutely right. What you have done for six years over there is inexcusable. The commissioner outlines, in seven pages of detail, promises made and promises broken. He talks about procrastination, delays, refusals to live up to your responsibilities to comply with the law. He specifically says, Minister, that this is not simply a matter of a breach of the spirit of the Environmental Bill of Rights; he says this is a breach of the letter of the law.

He goes on to say, "When the EBR was enacted, it was intended that all Ontarians would have rights to comment on" the kinds of proposals that come before MNR. Then he says, "but, unfortunately, the public is still waiting for these rights."

Minister, how do you justify breaking the law and depriving the public of their legal right to comment on what is going on inside your ministry?

**Hon Mr Snobelen:** The Environmental Commissioner this morning was very clear in his report. He reported that on several occasions from 1995 until this year the ministry has committed to his office that a regulation will be put into effect, and it has not happened. For that, I apologize.

Our position is very clear. We believe these items should be on the EBR, we support the EBR, and we'll be putting that regulation forward as quickly as we possibly can.

**Mr McGuinty:** Minister, I understand that you are giving every appearance of being contrite on this issue.

I want to raise another aspect of this with you. I want to know about the Red Tape Commission's role in these delays and procrastinations. We've had some details in here with respect to your particular ministry, but I want you to tell us here and now and out it on the record: what role did the Red Tape Commission play in thwarting the public's right to gain information about applications that are brought before the MNR? What role did the Red Tape Commission play in all of this?

**Hon Mr Snobelen:** It's an opportunity to clarify some things for the Leader of the Opposition, and I appreciate the opportunity to do that.

First, in regard to his earlier questions, in fact when this regulation passes, in the event that it passes, there will be a law that will require the ministry to post on the EBR. It's not a broken law; it's in fact a law that would allow us to post on the EBR, and we support that.

Second, I can tell the member opposite that I've had no communication on this file with the Red Tape Commission, nor am I aware of any. But I can say that if it takes six years to get a regulation that everyone's in favour of through, there must be some red tape present, and that's what we're going to have to eliminate and get this regulation put in place.

#### RED TAPE COMMISSION

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** My question is to the Minister of Economic Development and Trade, and it concerns the Red Tape Commission. Minister, are you familiar with an exchange of correspondence between Mr Frank Sheehan, chairman of the Red Tape Commission, and the Honourable Norman Sterling, Minister of the Environment for the province of Ontario, regarding the results of a court case between the Ontario Ministry of the Environment and a well-known waste management company, Philip Enterprises?

**Hon Robert W. Runciman (Minister of Economic Development and Trade):** I'm not aware of that.

**Mr Conway:** Minister, let me help you. I am sending over to you a package that includes letters written in 1997 by Mr Sheehan to the then Minister of the Environment for Ontario, the Honourable Norm Sterling. In this correspondence, which you will now have, Mr Sheehan

wants to know what regulatory steps the Ontario Ministry of the Environment is contemplating in the wake of a court case between the Ministry of the Environment and Philip Enterprises. In this particular court case, which concerns the Ontario Ministry of the Environment hazardous waste regulations, Philip Services argued that a certain product should be considered recyclable, while the Ontario Ministry of the Environment was arguing, and arguing strongly, that this particular product should be classified as a hazardous waste.

Minister, can you confirm that the Red Tape Commission, in the wake of this particular court case, was in fact contacting the Ontario Minister of the Environment and specifically advocating in favour of the Philip position?

1450

**Hon Mr Runciman:** I can make reference to the terms of reference for the Red Tape Commission, which indicate "any regulatory measure that unnecessarily impairs economic competitiveness by adding costs to normal business and institutional activities that are not justified by health, safety or environmental considerations." So clearly under the mandate of the Red Tape Commission, concerns which you have suggested are present in this situation, if indeed that was the case, would violate the terms of reference of the commission.

**Mr Conway:** Well, minister and colleagues, this particular story has a very interesting ending. After this particular court case, the Ontario Ministry of the Environment did indeed narrow the definition of "recyclable material." However, the Ontario Ministry of the Environment specifically exempted the particular product that the Philip case had been all about. The Ministry of the Environment did this even though in this particular court case the Ministry of the Environment had argued strongly that the particular product should have been classified and should be classified as a hazardous material.

The question arises, what could have happened to have changed the Ministry of the Environment's position? I think we know the answer to that question.

Minister, will you confirm that as a direct result of the intervention by the Red Tape Commission, the Ontario Ministry of the Environment adopted a regulation that specifically benefited the company that Frank Sheehan had been writing to Minister Sterling about?

**Hon Mr Runciman:** We can reiterate what the role of the Red Tape Commission is with respect to providing advice to the government, and that is essentially what they do. They don't make decisions. Those decisions are ultimately made by the executive council, as the member knows.

Quite frequently, advice offered by the commission is not accepted by cabinet. They are not privy to cabinet debate or decisions. They do not vote in terms of cabinet decisions or regulatory changes. They simply provide input. They are one of many voices providing input to cabinet.

I think this is an effort to in some way, shape or form tarnish the Red Tape Commission, which has performed

wonderful service over the past six years in this province in terms of improving the business climate, improving opportunities for growth and jobs in this province. I think it's unfortunate we're having all kinds of suggestions which cast aspersions on good—

**The Speaker (Hon Gary Carr):** The minister's time is up. New question.

## MINISTRY OF NATURAL RESOURCES

**Mr Howard Hampton (Kenora-Rainy River):** My question is to the Minister of Natural Resources. We found today from the Environmental Commissioner that for over five years the Minister of Natural Resources has been breaking the environmental laws of Ontario. In the Environmental Commissioner's own words, you've been "thwarting" the public's right to participate and scrutinize the environmental impact of government decisions.

In the commissioner's report, he lists 13 different times that the Environmental Commissioner's office has contacted MNR to warn them and to say to them, "You must obey the law": 13 times over more than five years, and yet you're still breaking the law. Can you tell us why that is, Minister?

**Hon John Snobelen (Minister of Natural Resources):** To the leader of the third party, as I said earlier in this session, there is no question that the Environmental Commissioner this morning said that the ministry has made commitments to the Environmental Commissioner to put a regulation through. It has not happened, and for that I very sincerely apologize to the Environmental Commissioner. It's unusual for him to have to take this step, and I have apologized to him.

He also said in his news conference this morning, to clear the record, that the legal obligation of the ministry has been met. But we can do more, and we will.

**Mr Hampton:** Minister, you should read the last sentence of the commissioner's report because he says, "I no longer have confidence that the ministry will carry out its legal obligations." That's pretty clear. You say they're meeting their legal obligations; he says very clearly "no longer any confidence" that they're going to meet their legal obligations. In fact, the Environmental Commissioner wrote directly to you in January 1999, stating there was a serious problem and asking you what was going to be done about it. Can you tell us why, after writing to you personally—a very unusual step—two and a half years ago, you haven't done anything about it?

**Hon Mr Snobelen:** I can say, as I explained earlier today, that in fact all of the issues that have come before me in the last four years that may or may not have applied to EBR—I've encouraged EBR posting. We've allowed for posting beyond the 30 days. So I and my colleagues, and I think everyone in this chamber, are fully supportive of the EBR process. We have committed to changing the regulations so that more public issues can go on the EBR, and that will happen.

**Mr Hampton:** The Environmental Commissioner says that your government is breaking the law of Ontario

and you've been breaking the law of Ontario for six years. He put you on notice of it two and a half years ago and you've done nothing. But we know from his documents that this material went to a cabinet committee in March. Can you tell us, now that cabinet has been seized of it for over three months, why are you still breaking the law, even though your fellow cabinet ministers know about it as well? Why do you continue to break the law when it's clearly all of your collective responsibility now?

**Hon Mr Snobelen:** Again, we intend fully to put a regulation through and we will do that. I can say to the leader of the third party, as I said at the beginning of his statements, that the Environmental Commissioner himself said very clearly in his news conference that the ministry has met its legal obligations. What's in question is a regulation that would require the ongoing posting on the EBR of issues that are not now required. That's the purpose of the regulation and that's what we are putting forward.

## COMPETITIVE ELECTRICITY MARKET

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Deputy Premier. This is a report by TD Securities called Power Industry: Capitalizing on Change? In it, TD Securities says that Ontario Power Generation at Hydro One will be privatized in the next 12 to 48 months. We know that you plan to sell off two thirds of Ontario's hydroelectricity system, but they are now saying you're going to sell off the whole thing. Putting the transmission system in private ownership is like saying you want to have a private monopoly, something they've experimented with in California.

Minister, will you finally come clean and tell the people of Ontario exactly when you are going to sell out their hydroelectricity system to the international corporations, who can do the same thing they've done in California and Alberta: jack up the rates three and four times. Tell the people when you're going to do it, because clearly your friends on Bay Street understand you're going to do it.

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** No decisions have been made at this time about the matter the member raises. It has been clear since November 1997—the white paper that was issued at that time on restructuring—that we have always been open and honest about the fact that we would consider public-private partnership options for Ontario Hydro and its successor companies.

In compliance with the terms of OPG's regulatory obligation, as set out in its generator's licence from the Ontario Energy Board, OPG is proceeding with decontrol of a number of power generating facilities. The member opposite will be aware of the very substantial transaction with respect to the Bruce facility and the fact that there will be expansion and more generation at Bruce. This is all part of the restructuring of electricity services in

Ontario for the betterment of all of the people and industry of Ontario.

1500

**Mr Hampton:** Minister, your move to privatize our electricity system is already costing jobs out there. More and more industries are coming forward and saying it's going to cost more jobs. This report drools over the prospect of getting the hydroelectric stations at low prices. It says, and I quote, "The greatest opportunities to maximize profitability are available from increasing exports to markets with higher power rates, ie, the United States." In other words, they're confirming what we've been saying. As you sell this off, those private companies will want to sell the power in New York where they can get two and a half times the price, or in Detroit where they can get almost double the price, or in Boston where they can get 85% more, which means Ontario consumers will either have to pay the much higher American prices or simply watch our electricity being exported.

TD Securities knows about it, Minister. Come clean to the people of Ontario. When are you going to sell out their hydroelectricity system and allow the hydro rates to go through the roof?

**Hon Mr Flaherty:** To the member opposite: we've made clear that we're moving forward with a goal of May next year. The member may be surprised to learn that virtually every day Ontario power lights the lights of New York City and fires the electricity of New York City, almost every day at rush hour. That's what happens today. That's in the best interests of the people of Ontario. We're the shareholder of Ontario Power Generation.

It's in the best interests of the people of Ontario to develop more power, more generation in Ontario. It's in the best interests of the people of Ontario to have open markets, not closed markets like the anti-competitive situations that member opposite believes in. I know he is against open markets. I know he's in favour of monopolies that develop debt. Over the course of Ontario Hydro's history, as you know, there was a \$38-billion debt developed that is saddled now with the generating companies and with the government of Ontario on behalf of the people of Ontario. We need open markets. We need more generation to ensure a prosperous future for the people of Ontario and for the industries of Ontario as Ontario grows and prospers.

#### HOME CARE

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Minister of Health. Yesterday it was clear that you were taken by complete surprise and were completely unaware of the landmark ruling issued just more than two weeks ago by the Health Services Appeal and Review Board. I am sure you have now had the opportunity to receive a full briefing, and I hope you appreciate the urgency of the situation.

Our community care access centres find themselves now in a real legal quandary. They don't know whether

or not they should be providing homemaking and personal services to seniors or whether they should not be providing those services to them, because this legal ruling has made it perfectly clear that you have responsibility to set the eligibility rules. What our CCACs are asking, what our home care providers are asking now, is what those rules are. So my question to you on behalf of home care providers is, what are the rules and why don't you tell them to us right now?

**Hon Tony Clement (Minister of Health and Long-Term Care):** On behalf of the recipients of some of those services, I can answer the honourable member that, as I said yesterday, this ministry has been active in setting out regulations and fulfilling all the regulatory requirements to make sure all medical requirements are set out in regulations, and they have been: eligibility criteria for homemaking services, school services, personal support school services, all set out in regulations pursuant to the Long-Term Care Act; in addition, eligibility criteria for professional services, nursing, physiotherapy, speech therapy, all set out in regulations.

So as I said yesterday, we have done our job. There is a review on the application of those standards in an uneven manner by some CCACs in some corners of the province. That's what we're working on right now. But I want to assure some people in Ontario who, as a result of the honourable member's rhetoric, might be concerned, that we in fact do have regulations in place that meet these standards.

**Mr McGuinty:** Minister, I can only assume you have not taken the time to look at this ruling. The ruling makes it perfectly clear that CCACs now find themselves in this terrible predicament. They're in a state of limbo. They don't know whether they should deliver homemaking and personal services or not. We've got seniors on waiting lists across the province.

CCACs need some direction from you. You can't fob this off to those volunteer boards any more. You have to take responsibility. What I'm asking you on their behalf is, when are you going to do that? When are you going to tell them exactly who it is they should be providing these home care services to—to be specific, homemaking and personal services—and to whom they should not be providing those services? The ball is in your court. When are you going to give them the information they so desperately need so they can do the job they want to do?

**Hon Mr Clement:** I encourage the honourable member to read the review board findings. He will discover that the ruling is particularly associated with personal support workers. It has nothing to do with medical services, it has nothing to do with homemaking services, nothing to do with school services, nothing to do with professional services. All of those are covered by regulations. So the honourable member's implication that there is some gap in the standards necessary for the proper health of citizens who are receiving some of these services is misapprehended, in my view. I can tell the honourable member, and through him the people of Ontario, that regulations are in place. The ones they are

concerned about in terms of medical services and professional services are in place and they will continue to be in place.

### SMART GROWTH

**Mr John O'Toole (Durham):** My question today is for the Minister of Municipal Affairs and Housing. I'm humbled by the opportunity. Minister, in the past two weeks your ministry has been conducting a series of very, very important meetings in 17 locations around Ontario dealing with the issue of smart growth. I was very happy that you had the conclusive meeting in my riding of Durham.

The last meeting, of course, in Durham was attended by Mayor Nancy Diamond, as well as other constituents representing a variety of stakeholders from the agricultural sector, Anna Bragg from the business sector, Ron Hooper and Adrian Foster—the list goes on.

Minister, the three main focuses of the Smart Growth strategy, as you know clearly, are a strong economy, strong communities and a clean and healthy environment. But I want you to tell us, not just for my constituents in Durham but for all of the people in Ontario, what have the Smart Growth consultations told you about planning for our future in Ontario?

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** As usual, it's a very informed and excellent question, and I'm grateful that the member for Durham has asked it. He has mentioned that the made-in-Ontario Smart Growth strategy will be based on three principles, including a strong economy. We need more growth to sustain our standard of living and provide the revenues for our health care system, which is mentioned quite often.

Discussions so far have been well attended. Seventeen communities around the province have participated. My parliamentary assistant, Morley Kells, and other parliamentary assistants have helped out immeasurably. It has been well attended by mayors such as Mayor Diamond, environmental groups, business leaders and others, and they've provided some solid ideas on how to manage growth, how to attract more growth.

But what has been clearly heard throughout the whole province is what a diverse and great province we have and that the needs vary. In northern and rural areas, there's a great need for more growth, and in the urban areas, like the GTA, we have to manage it for our quality of life. I know there will be a supplementary, so I'll wait for that.

**Mr O'Toole:** Thank you for your very detailed response, Minister. Clearly I know that you're as excited about the economy in Ontario as I am. I heard the constituents—not just in Durham; I went to Peterborough with Gary Stewart from Peterborough and the presidents of Trent and Sir Sandford Fleming. In fact, I was impressed by the constituents' confidence to work with this government and to build not just smart growth but a smart economy.

Minister, after consultation—something the opposition has failed to do for years—we've listened. The next steps of the Smart Growth plan—the Solicitor General would know that—are absolutely critical. Could you share them with the House today, Minister?

**Hon Mr Hodgson:** As the member for Durham mentioned, these meetings were well attended and were very successful, particularly from Windsor right through to Peterborough. The consultations included not only the meetings but as well we had the Smart Growth Web site. We're still receiving correspondence. We've had over 200 letters to date. People realize that the Harris government has promoted a high standard of living, and they also realize that the Harris government will deliver a plan for a high quality of life as well for this province and have all our partners share in implementing it. I've just announced that Ron Vrancart, former Deputy Minister of Natural Resources, will lead the consultation on the Oak Ridges moraine to try to find a balance and a consensus for what areas should be protected and what areas should have development, and to make sure there's clarity around that. As I have mentioned on numerous occasions, the deadline for submissions in writing is June 25. We are receiving a lot of great ideas from right around the province and we look forward to receiving more and implementing a plan that works for the people of Ontario.

1510

### GYNECOLOGICAL ONCOLOGISTS

**Mrs Sandra Pupatello (Windsor West):** My question is for the Minister of Health. Yesterday I received a letter from Dr Carey from London. He's a gynecological oncologist. He takes care of women with cervical cancer, ovarian cancer, the most serious of cancer cases, life-threatening. He told us that because of a critical shortage of gynecological oncologists in Ontario, Windsor can't refer to London for these very serious cases. He said you're going to have to refer to "other parts of the province or outside Ontario." Guess what? These same letters went out across Ontario from all 16 gynecological oncologists who are part of these centres that get referred to from the rest of Ontario. You knew about this since November 1999. The group that heads the departments in all five medical centres wrote to then-Minister Witmer and said, "You've got to help us."

Dr Rosen, negotiating on behalf of the group, says he has a deal. So sure were they of the deal that London and Ottawa already started recruiting new doctors as a result of the deal they would have struck, but the deal is sitting on your office desk waiting for your signature. How could you possibly delay this and put women at risk?

**Hon Tony Clement (Minister of Health and Long-Term Care):** Forgive me if I disagree with the characterization, but I can tell the honourable member and this House that indeed we are in the final stages of discussions for an alternative payment program for the gynecological oncologists in Ontario. The discussions are going well and we anticipate a successful resolution of this in the near future.

**Mrs Papatello:** The minister lurches from one newspaper article to another to solve one crisis after the next. Dr Rosen reached a verbal agreement in February of this year. He had a written contract in his hand in April of this year. Then all the discussions from your office stopped. No one would get back to them to move forward. Even though those working at various centres tried to move forward and recruit, they would hear nothing back from your ministry. Now it hits the newspaper. Yesterday all of a sudden Dr Rosen gets a call after it's been in the paper and he's got a meeting this afternoon with your ministry.

Is this how you do business, as soon as it hits the newspaper the minister gets involved to solve a problem? Are we to call on all Ontarians, "Bring your health cases here. We'll get it in the newspaper and then the minister might figure out a solution." How dare you run our health system like this, and in particular, serious cases, cervical, ovarian cancers, and women not being referred and now we've lost four new recruits of these specialty oncologists because you're dilly-dallying in your ministry.

**Hon Mr Clement:** Again, we are in the final stages of discussions with the particular group she mentions. If the honourable member is seriously suggesting that I, as a minister, should not be sensitive to problems that are raised in my office, whether it is through the news media or through letters or through her own colleagues on the opposite benches there, I think that would be a dereliction of my responsibility and duty.

Of course I respond when there are problems. Of course I try to cut through the red tape. Of course I have to kick a few desks. It's part of my job. That's the leadership of being on the government side. Sometimes you've got to fix the problems rather than complain and complain and not fix the problems. I accept that responsibility.

#### SAFETY OF CORRECTIONAL OFFICERS

**Ms Marilyn Mushinski (Scarborough Centre):** My question today is for the Minister of Correctional Services. I read in the Toronto Sun today that all of the eight inmates from the incident at the Whitby Jail on June 12 have now been charged. The charges range from arson and participating in a riot to disregard of human life. I'm very glad to see that the \$25,000 in damage to the jail and the safety and security of the correctional staff are not going unnoticed. My concern is whether the acts of aggression and violence against correctional services staff are being punished enough under our current legislation. Minister, is there enough being done to hold offenders accountable for their actions, and particularly for their behaviour toward correctional staff?

**Hon Rob Sampson (Minister of Correctional Services):** Thank you, to the member from Scarborough Centre, for the question. I, of course, cannot speak to cases that are before the courts. The courts will deal with those. But I can speak to the fact that we indeed need to make changes to the legislation to make sure that those who are working for us in correctional services in the

various institutions across the province are protected as much as possible against activities against themselves which jeopardize not only their safety and security but the safety and security of those who live in and around the institutions.

That is why, in a bill that is now before the House in second reading debate, we have brought forward amendments to the legislation in this province that would say that the correctional services ministry should be allowed to proceed with internal disciplinary procedures against those who have committed violent acts or acts in general against correctional officers that create disturbance in the institution, even though there may at the same time be criminal proceedings. We are trying to solve the challenge and make sure the institutions are indeed safe for those who work there.

**Ms Mushinski:** Thank you for that response, Minister. It's good to see that our government is consistently putting public safety first. By holding offenders accountable for their actions, we're also increasing the security of these institutions and the staff who work in them.

However, can you please explain to me and my constituents in Scarborough Centre how a simple misconduct on an offender's record would make an inmate aware of the need to obey institutional rules and regulations?

**Hon Mr Sampson:** Thank you very much, again, to the member from Scarborough Centre. The way in which it's done is very simply through having an impact on the final end of a sentence, which under the federal Liberals we have deemed to be called the "discount law." We believe the end of your sentence—remission, if you will, from the sentence that's provided at the end of a court trial—should be earned; any time off from jail should be earned. So we have brought forward to this House and this House has approved legislation that would say that anybody who serves time in a correctional institution in this province, someone who is sentenced to two years less a day, or less, should be required to demonstrate that they have indeed earned the privilege to be out of jail before the end of their sentence. That privilege can be earned through a number of things, one of which is proper behaviour in institutions. So disciplinary hearings will have an impact on that, as they should.

#### HOME CARE

**Mr Peter Kormos (Niagara Centre):** To the Minister of Health: yesterday, you claimed that the Niagara CCAC, among others, has said it can live within its budget and that it can still deliver the history of excellent services that it has. After a lengthy board meeting where they determined that they were shy over \$9 million, they announced that they have to drop 1,000 of their clients from the 8,000 clients they have now. They've got to create a new waiting list of 1,000 people—elderly people, post-operative people who are put on a waiting list and won't receive any assistance from the CCAC. How can you say that they are anywhere near adequately funded when they have to deny people these critical services?

**Hon Tony Clement (Minister of Health and Long-Term Care):** Let me answer that in part by saying that certainly the Niagara CCAC has been the recipient of considerably more money under the present government than under the former government. I can do no better than to quote the editorial in the Niagara Falls Review on June 12, which said, "There is no doubt home care is important in the current medical system, and that we have a high proportion of elderly people in this region." Of course, that's true. "The amount of money the province has put into home care has increased vastly, however, and we find it hard to believe it's not enough."

"The battle looks to us like politics, and another effort to trash the Conservative government."

I agree with the Niagara Falls Review.

**Mr Kormos:** There are 1,000 senior citizens who are not going to be bathed and are not going to be fed, and post-operative patients who aren't going to have dressings changed because of your underfunding of the CCAC in Niagara. There are senior citizens who are not going to receive any services, others who are going to have their services significantly cut. There is a 19% reduction in therapeutic services because you flat-lined the CCAC's budget in Niagara. You have denied them the \$9 million they need to deliver these services. People are going to go hungry, people are going to lie in their own waste, as a result of your decision to underfund the CCAC in Niagara. Don't blame the CCAC or their workers. Those workers are going to have to undergo layoffs because of your de-funding. There are going to be fewer workers, fewer people serviced, longer waiting lines. How can you say they are adequately funded?

1520

**Hon Mr Clement:** I find this absolutely astounding. When the honourable member was part of the majority in this House and a member of the government, the Niagara CCAC, in the final year of their government, received \$21.2 million for home care. This year—

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** Did we cut it? Is it down?

**Hon Mr Clement:** You would think so, by the way the honourable member was speaking. But in fact this year the CCAC budget for Niagara is not \$21.2 million; it is \$47.1 million, an over 130% increase, as a result of the policies he now decries.

I encourage the honourable member, if he has a problem with how we are funding the Niagara CCAC, to say so directly. If he wants to be part of the solution, he can help us ensure the unprecedented funding that goes to Niagara goes to the people it should go to. That will be a worthwhile use of his time.

#### FAMILY RESPONSIBILITY OFFICE

**Mrs Marie Bountrogianni (Hamilton Mountain):** My question is for the Minister of Community and Social Services. The Ombudsman's annual report was presented

to the Legislature today. It outlines yet again the ongoing delays at the Family Responsibility Office. This is the fourth such damaging report tabled in this Legislature since 1998. In fact, this annual report clearly states the initiatives the Ombudsman identified and recommended to fix the problems in the last three reports have not yet been made.

He states: "There has been so little movement by the government to provide the funding ... so necessary to the efficient operation of this service.... The public who are most severely affected by this lack of service are among the most vulnerable in our society." His words, Minister, not mine.

Although we know your government does not seem to care about our young, our sick and our seniors, we on this side of the House do care. Minister, how many lives must be ruined, how many children must live in poverty, how many reports will it take before you take action to ensure the problems at the FRO are fixed?

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** I am disappointed that the honourable member would make that kind of comment, as if only members of her party care about children and the vulnerable in this province. We on this side of the House recognize there are a lot of people who depend on the Family Responsibility Office and depend on the support orders, and we believe they are entitled to receive every single cent possible.

When I first arrived as a member of the Legislature, it was clear that the system wasn't working as well as it could. When I arrived, some six years ago, the FRO, or its predecessor, was collecting \$368 million. This past year it collected \$545 million.

**Mrs Bountrogianni:** The Ombudsman's report states that you had time to fix the problem. Funding has been approved by Management Board for the feasibility study for the computer updates to make this a more efficient system. Money is available. What kind of accountability is this? The money has been there from your own government. These continuing delays are very troublesome to the Ombudsman. Excuses do not suffice.

The FRO has 174,000 cases registered. Only 27% were paid up to date in March 2001, and \$1.2 billion of payments are in arrears and owed to 125,000 families, most led by single women with children—125,000 families not getting the money owed to them.

Minister, enough talk. It is time to do what the Ombudsman has called for since 1998. It is time to fix the Family Responsibility Office. Will you continue to ignore and discredit yet another report, or will you fix this mess?

**Hon Mr Baird:** Far from discrediting the report, I share the concern the Ombudsman has brought forward with respect to the use of technology. We have made a number of improvements in technology. I concede, as the Ombudsman has, that more work has to be done. In the budget a few weeks ago, additional funds were made

available to look at expanding the use of technology in the whole process of business design.

The member opposite talked about the accumulated arrears. Some \$300 million is owed. Why can't we collect that? They're in jail, they're on welfare, they've gone bankrupt, they're unemployed or the payer lives outside the province. We have come a long way. We believe we can do a lot more.

I'll tell her what the Ombudsman also said this morning. He said the Family Responsibility Office has done a great deal. He said the Family Responsibility Office has come a long way and he said the Family Responsibility Office does good work. She was rather selective in her quoting.

### VISITORS

**Mr Norm Miller (Parry Sound-Muskoka):** On a point of order, Mr Speaker: I'm standing to welcome St Peter's Catholic school from Parry Sound, who are here visiting today. They're in the east gallery up there.

### OSHAWA COURTHOUSE

**Mr Jerry J. Ouellette (Oshawa):** My question is for the Attorney General. It seems somewhat that the plot thickens. Minister, I've been working on another issue in my riding since 1995. If you're not familiar with the case, I'll give a brief rundown.

I've dealt with Management Boards, I've talked with previous Attorneys General, and I've spoken with parliamentary assistants on this issue. We've pushed it very extensively, indeed, to the point where General Motors has actually gotten in and endorsed the position of Oshawa. What I'm speaking about is a possible courthouse being located in Oshawa.

I know the process very well and the process knows us very well, as we've been fairly active in it. I and the people of Oshawa would like to know what exactly is happening with the courthouse in Oshawa.

**Hon David Young (Attorney General, minister responsible for native affairs):** I thank my friend for the question. He referenced the fact that in 1995, he began to speak out on behalf of his community. I should pause to reference the fact that he is indeed a very effective advocate for the riding that he represents. The fact that there was a need in that community was a need that in fact existed throughout the province, because in the years before this government took office, indeed there was very little money spent on restoring courthouses. We have embarked upon a project that has seen in excess of \$255 million spent to restore courthouses across this province. As a result of that, there are numerous projects that have been completed, many others that are underway and many others that are in the planning stage.

**Mr Ouellette:** Six years is far too long. We're hearing constant process changes and things coming about on this. We don't have any clear definition on what's taking place and when we're going to hear what's next. When

exactly can we expect to hear a decision on this matter of the courthouse?

**Hon Mr Young:** I do indeed understand the member's desire to have more facts and details in relation to the Durham project. I should say that I don't stand to endorse any particular location of it; that will be sorted out in the impartial way that it should be through the process. But I do want to say that the ministry and SuperBuild are working very hard on this. In September 2000, the RFP went out. We also announced, at roughly the same time, that the Durham region would be the first community to benefit from what is indeed an innovative, precedent-setting and exciting public-private partnership. I can add to that that the consultants are to prepare a request for qualification—an RFQ—and that's to be released in the spring of this very year. It will invite interested parties to submit their qualifications for this partnership.

### CONTAMINATED PROPERTY

**Mr Gerard Kennedy (Parkdale-High Park):** I have a question to the Minister of the Environment, but I've been advised the Minister of the Environment may have left.

**The Speaker (Hon Gary Carr):** Stop the clock. I believe she was here a minute ago.

**Mr Kennedy:** In her absence, I'll ask the acting Premier. The question I raise is a matter of great seriousness. There is a development in my riding but not restricted in its impact to my riding. It is a property at 1997-1947 Bloor Street and it is contaminated. Some time ago, in April, the local residents wrote to the Ministry of the Environment and asked for an environmental assessment for their protection and because of its location at the headwaters at the top of High Park. This is the most sensitive environmental area in the city, the largest recreational park area, but also containing some of the most central natural fauna and actual wildlife within the boundaries of the city.

We are here today to talk about the water in the park that could be contaminated as a result of this development. I'm asking you, on behalf of your government, have you done the inspection to see whether or not an environmental assessment will be done and can you tell us that here today?

1530

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet):** First of all, it is of great concern. If the circumstances are as the member says, it is a concern to all of us. Unfortunately, as you know, the Minister of the Environment is not here today. I don't have the details of the matter but I'm sure that the minister does. I take the matter under advisement and make sure that the minister does come back to you with whatever response you do require.

**Mr Kennedy:** I want to send this across to you, through a page—and also, the member for London-North Centre seemed in her reaction to have evinced not very great concern for the water that is affected here. All of

Grenadier Pond, the underground watercourse, is going to have a medium-sized condominium built on top of it where there have been two service stations in operation for 70 years dumping chemicals into the ground. Some of those chemicals exist below the watercourse. This is a property that the government is well aware of.

In recent weeks community groups have written and asked what is happening with respect to an environmental assessment. They are residents who live nearby. There are hundreds of people in this city who have worked to restore the water table there and the marsh for natural habitat. This is a serious matter. It requires the response, and I would hope the non-partisan response, of this government. But from April 9 to now we have heard nothing.

I would ask the acting Premier to at least give this House an undertaking that we will have an answer with respect to an environmental assessment within the next few days.

**Hon Mr Tsubouchi:** Any time we have circumstances with any type of matter like this, it is of great concern to all of us here in this House. As the member knows, all requests for EAs are reviewed by the minister. I will certainly take the matter under advisement, pass it on to the minister, and I'm sure that she will respond to you in due course.

#### ONTARIO-NEW YORK ECONOMIC SUMMIT

**Mr Bart Maves (Niagara Falls):** My question is for the Minister of Economic Development and Trade. Both Premier Harris and New York Governor George Pataki have organized an Ontario-New York economic summit next week in my riding of Niagara Falls and in Buffalo, New York. The summit is entitled Building on Partnerships.

Minister, I know that your office has been instrumental in helping put this event together. Could you please provide the House with some details about the summit, including which bi-national issues will be addressed?

**Hon Robert W. Runciman (Minister of Economic Development and Trade):** I thank the member for Niagara Falls for the question. Up to 500 delegates are expected to attend the first-ever New York-Ontario economic summit on June 25 in Niagara Falls and June 26 in Buffalo, New York. The summit was announced following Governor George Pataki's visit with Premier Harris in Toronto on April 4. I will be involved in the summit, along with the member for Niagara Falls and our colleagues, Minister Hudak, Minister Clark, Minister Jackson and my parliamentary assistant, Ted Chudleigh.

The plan is to cover a number of issues ranging from tourism to trade corridors to photonics and micro-electronics.

**Mr Maves:** As the member for a riding on the border and the co-chair of the New York-Ontario joint international committee, I recently organized a meeting with

my Niagara area colleagues and state assemblymen and senators from Niagara Falls, New York, and the Buffalo area. This was our fourth meeting to date. Both myself and Robin Schimming, assemblyman for Kenmore, New York, agree on the importance of meeting to discuss cross-border issues.

At that meeting I learned that Governor Pataki intends to propose a broad range of ideas designed to improve both political and economic relations between the state of New York and the province of Ontario. Could you please elaborate on what Ontario's perspectives and aims are for this meeting?

**Hon Mr Runciman:** The summit creates an opportunity for Ontario business leaders to meet with their New York state counterparts to discuss ways to expand trade and investment between our two areas. The chief objective of the summit is to find ways to create jobs and incomes for families on both sides of the border. There will be breakout sessions on Tuesday which will highlight issues that require action by all levels of government and by the private sector.

The summit will build upon our existing relationship with New York state and make it easier to resolve any future issues that may arise between us. A report will be generated when the summit concludes, and that report will give direction to participants and to our governments on how to make the most of these relationships.

#### ONTARIANS WITH DISABILITIES LEGISLATION

**Mr Tony Martin (Sault Ste Marie):** My question is for the Minister of Citizenship. Your government has been travelling the province for the last couple of weeks talking about smart growth, and yet yesterday, when you tabled the business plan for your ministry, you completely ignored the urgent need to table an Ontarians with Disabilities Act.

Without a strong and effective Ontarians with Disabilities Act, there are going to be a number of buildings go up across this province with barriers that shut out people in wheelchairs and people with other disabilities. In my view, that's not smart growth; that's dumb growth. How can you justify tabling a business plan that doesn't even utter the words "Ontarians with Disabilities Act"?

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** At the outset, let me reassure the honourable member and all members of this House that this government has committed to bringing in an Ontarians with Disabilities Act this year. We've indicated that in our business plan. Quite frankly, during the five years of the NDP, they saw fit not to make amendments in terms of accessibility, not to make services and programs for disabled persons a priority for their government. Perhaps it was difficult, because under his government's five years we had negative growth in this province.

**Mr Martin:** Minister, I've read your business plan, and there's absolutely no reference to an Ontarians with

Disabilities Act. This House unanimously passed a resolution that the government should table an Ontarians with Disabilities Act by November this year. We've seen absolutely nothing. The people of Ontario have been waiting for six long years, and you referenced yourself that you've been talking about it in here for six long years.

It's now time to take action, Minister. How on earth do you explain leaving that vital piece of legislation out of your business plan for the coming year?

**Hon Mr Jackson:** The member opposite hasn't read the most recent provincial budget. My colleague the Minister of Community and Social Services, with the support of the Treasurer, allocated an unprecedented amount of funding to support persons with developmental disabilities and young adults, a quarter-billion-dollar commitment, the largest single commitment to developmentally disabled individuals in Canadian history.

We're very proud of that commitment. It's one of many commitments, like new dollars for the autism program. It brings the commitment of this government, since elected, to over \$1 billion in new programs, a record we're very proud of and one we're prepared to stack against the effort of the NDP in your five years, which frankly was a disgrace, and your own caucus members agreed with you.

#### HOME CARE

**Mr Joseph Cordiano (York South-Weston):** I have a question for the Minister of Health. It is now clear to every member of this House that community care access centres are facing a serious crisis. It is your government's refusal to properly fund CCACs that has led to this crisis. You're forcing CCACs to provide service not on the basis of demonstrated need but on the basis of your finance minister's mixed-up priorities.

For example, in my riding, the North York CCAC is facing a \$10.6-million shortfall. As a result, they're going to have to cut \$1 million of services per month, and that can only mean one thing: they're going to have to turn people away. Minister, what guidelines and eligibility standards are you prepared to bring forward so that the North York CCAC knows which people to turn away and which to accept? Which ones, Minister?

**Hon Tony Clement (Minister of Health and Long-Term Care):** First of all, let's be particular to the honourable member's area. I can assure this House that the North York CCAC has had increased funding, an increased commitment by this government over the last three years. I can tell you that in the 1997-98 fiscal year, the North York CCAC received \$29.6 million. It just so happens that this year they are receiving \$57.8 million. So I want to assure all the residents in the neighbourhoods in North York that the commitment by this government has been second to none. May I remind the House that every single penny is 100% provincial—not a nickel, not a dime, nothing from the federal Liberal government he so supports.

I want to assure this House that on this side of the House our commitment to seniors, our commitment to those in need is second to none and will continue to be so, because that is what we're doing: exercising leadership in the province of Ontario.

1540

**Mr Cordiano:** I want the minister to come to my riding to tell every senior and every disabled person out there, "Sorry, there's no more money. We can't help you. We're closing up shop." Is that the message this government wants to give to the people out there in the community? That's exactly what you're saying, and that's small consolation to the people who need this home care service. It's not enough. You're simply turning your back on the most vulnerable in our society.

As a matter of fact, in my riding we have both the North York and the York CCACs. Depending on which side of the street you live on, you get different levels of service.

It is completely unfair of the minister to say this. I want to ask him again: what eligibility standards are you going to put in place so that CCACs can do your dirty work, which is to say to people, "Sorry, there's no more money. Go away"?

**Hon Mr Clement:** I can tell the honourable member that when one looks even Metro-wide—I'm not just speaking with respect to North York—there has been a 115% increase in funding in the new city of Toronto since 1995. So when he says we are turning our backs on anyone who deserves home care in our province, I can tell the honourable member that is not the case. I want to assure the constituents in his riding that that is not the case.

Indeed, when one looks at our commitment to home care, compared to any other province in the Dominion of Canada, per capita we are second to none. That is a record of which we are proud.

Of course CCACs have to determine eligibility and have to determine criteria. That is part of their job. But I can tell the honourable member that we have been there for those who need home care and we will be there in the future as well. That is the commitment we make. That is our position of leadership.

If the honourable member wants to be helpful, he should talk to his federal cousins. Maybe they can be part of the solution too.

#### CENTRE FOR FORENSIC SCIENCE

**Mr R. Gary Stewart (Peterborough):** My question is for the Solicitor General. Crime-fighting has become much more technical and more of a science of late. The most microscopic bits of evidence can now hold the answers to crimes that are years and years old.

Would the minister tell the House about Ontario's Centre for Forensic Science and the work it does?

**Hon David Turnbull (Solicitor General):** I thank the member for an excellent question. The Centre for Forensic Science is one of the world leaders in its field.

Forensic science is having an enormous impact on criminal investigations and in many cases is solving crimes which occurred many years ago.

The Centre for Forensic Science is recognized throughout the world for its expertise, particularly in the area of DNA. In fact, we are one of the three leading places in the world in this technology.

It supports the administration of justice by providing scientific examinations and interpretations and objective expert testimony, as well as research and development and educational programs and materials.

The Centre for Forensic Science is the largest contributor to the federal DNA bank. In fact, Ontario has now contributed 60% of the samples.

We're investing heavily in this facility with a variety of investments: \$5 million for the new DNA lab in 1996, \$3.25 million for state-of-the-art hair and fibre equipment, a quality assurance unit and staff training. We've added 48 new scientists and technologists over last year and this year, and we're investing another \$1 million for major equipment purchases.

We can all be truly proud of what an outstanding facility we have in Ontario, which is leading in this field.

#### BUSINESS OF THE HOUSE

**Hon Janet Ecker (Minister of Education, Government House Leader):** Pursuant to standing order 55, I have a statement of business for the House for next week.

Monday afternoon we will continue debate on Bill 80, and on Monday evening we will continue debate on Bill 57.

Tuesday afternoon we will continue debate on Bill 25, and on Tuesday evening we will continue debate on Bill 45.

Wednesday afternoon we will continue debate on Bill 19, and on Wednesday evening we will continue debate on Bill 82.

Thursday morning during private members' business we will discuss ballot items 17 and 18, and on Thursday afternoon we will continue debate on Bill 57.

**The Speaker (Hon Gary Carr):** Thank you, government House leader.

#### CONTEMPT OF PARLIAMENT

**The Speaker (Hon Gary Carr):** The point of privilege that was duly given to me by the member for Windsor-St Clair.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of privilege, Mr Speaker: Earlier today I wrote to you pursuant to standing order 21(c). Thank you for agreeing to hear this point of privilege.

It will be my submission that the Minister of Natural Resources has perpetrated a contempt of this Legislature by impeding and obstructing an officer of this House, the Environmental Commissioner.

What is it to be in contempt of Parliament? Let me quickly cite two references from the 22nd edition of Erskine May.

Quoting from page 108 of that document, on contempt, "Generally speaking, any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt even though there is no precedent of the offence."

On page 125 of Erskine May, 22nd edition, under the subtitle, "Obstructing Officers of Either House," I quote, "It is a contempt to obstruct or molest those employed by or entrusted with the execution of the orders of either House while in the execution of their duty." Further on it is indicated, "Both Houses will treat as contempts, not only acts directly tending to obstruct their officers in the execution of their duty, but also any conduct which may tend to deter them from doing their duty."

In the recently published House of Commons Procedure and Practice by Marleau and Montpetit, it is similarly affirmed that it is such a contempt of Parliament to stand in the way of an officer of Parliament who is doing his or her duty.

Let me cite one reference from Marleau and Montpetit on page 67. This refers to the ruling of M<sup>me</sup> Sauvé, who was Speaker in 1980, and she wrote, "While our privileges are defined, contempt of the House has no limits. When new ways are found to interfere with our proceedings, so too will the House, in appropriate cases, be able to find that a contempt of the House has occurred."

Finally, section 46 of our own Legislative Assembly Act sets out the jurisdiction of this House to inquire into and punish, as breaches of privilege or as contempt, a number of matters, including, "Assaults upon or interference with an officer of the assembly while in the execution of his or her duty."

The case of privilege I rise upon today stems from the report tabled in the House earlier today by the Environmental Commissioner, who is an officer of the Legislature. It is the mandate of the Environmental Commissioner to review how provincial ministries carry out the requirements of the Environmental Bill of Rights and to report to the Legislative Assembly annually.

In his extraordinary report entitled Broken Promises: MNR'S Failure to Safeguard Environmental Rights, the commissioner refers to "the long string of broken promises that MNR has made to my office since 1995."

The Environmental Commissioner's report focused on the problem that the Ministry of Natural Resources is blocking the final steps in a legal process set out in the Environmental Bill of Rights that allows the people of Ontario to know and to comment on some of the important decisions this ministry makes about the environment.

According to the report, over the past six years, the Ministry of Natural Resources had promised the Environmental Commissioner at least 10 times that it would

classify its "instruments"—the legal documents such as licences and permits issued to companies and individuals giving them permission to undertake activities that might affect the environment. Only when a ministry's instruments are classified, do the public's rights under the Environmental Bill of Rights to be given notice and to comment on them come into effect. Under the Environmental Bill of Rights, the Ministry of Natural Resources was supposed to complete this process soon after April 1, 1996, more than five years ago.

In presenting the report, the Environmental Commissioner stated the following: "My predecessors and I have accepted in good faith a series of promises and commitments, made by MNR management and staff, that this regulation.... We in turn assured the Legislature and the people of Ontario that all was in hand and that if they would just be patient the matter would be dealt with."

1550

He goes on to state, "Well, I have now come to the conclusion that our trust was misplaced, and it is my assessment that there is no intention to pass this regulation and allow the people of Ontario to exercise their rights under the EBR."

I find the very fact that an officer of this House, a person selected by this Legislature and sworn faithfully to discharge his duties to this House, has taken the extraordinary step of advising us that the authority of his office was disregarded and discounted, to the extent that he was forced to refer, and I quote from the report, "to the long string of broken promises that MNR has made to my office since 1995" is, in and of itself, a challenge to the supremacy of this House from which he draws that authority.

Earlier today, the minister apologized for that. It is our submission that an apology for, in effect, violating the law is not sufficient. It is our submission that an officer of this House has been obstructed from doing his duty.

One can certainly understand an amount of time to allow officials in the government to come to terms with a certain request. It is our contention, sir, that a *prima facie* case of privilege has been established.

Number two, as the official opposition, it is our desire to have the opportunity, upon your finding, to bring a motion to debate this. I refer to you as well, sir, the context of what we heard from the Privacy Commissioner earlier this week. I refer to you the comments that have been raised by my colleague from Don Valley East, Mr Caplan, with respect to unanswered order paper questions. There has been a series of these abuses of our privileges as members that, frankly, render it very difficult to do our jobs in an appropriate fashion.

When an officer of the Legislature such as the Environmental Commissioner is obstructed from performing his or her duty, as has been seriously alleged by that commissioner today, it is a serious breach, in our view, of our privileges as members to have access to his reports, which we, by law, must have access to. I ask you respectfully to review this situation, to review the Environmental Commissioner's extraordinary report today,

and allow us the opportunity to place a motion to deal with what we believe has been a systematic abuse of our privileges as members by a government that seems intent on not allowing this Legislature or the people of Ontario due opportunity to oversee and have oversight of the government of Ontario.

**The Speaker (Hon Gary Carr):** I thank the member for his presentation and for the copies that he provided me. It was very thorough, and I will reserve my judgment.

**Hon John Snobelen (Minister of Natural Resources):** On the same point of privilege, Mr Speaker: The member from Windsor-St Clair is an experienced member of the House, well read on these matters, and his dissertation today is well researched. We do not take exception to some of the things that the member said. For instance, the effect of classification of instruments, I believe, has been represented most properly.

The member quite correctly said that I made a public apology today on my behalf, on behalf of the ministry and on behalf of the government, not for any obstruction of the Environmental Commissioner but in fact for a lack of response to his request.

I think when the Speaker has an opportunity to look at this, he will find that in fact there has been no obstruction. Witness that today, serving the members of the House, the Environmental Commissioner brought this forward to the members of the House and asked for some resolution. In no way has he been obstructed in the performance of his duties or in information that would allow him to perform his duties. So I find that there is no obstruction and therefore no breach of privilege by the members of this House. In fact, the Environmental Commissioner has correctly pointed out to the House deficiencies, and they are being remedied.

**The Speaker:** I thank the minister for his input. I will read the report and report back to the House and reserve my judgment.

## PETITIONS

### HOME CARE

**Mr James J. Bradley (St Catharines):** I have a petition that reads:

"To the Legislative Assembly of Ontario:

"Whereas the need for home care services is rapidly growing in Ontario due to the aging of the population and hospital restructuring; and

"Whereas the prices paid by community care access centres"—commonly known as CCACs—"to purchase home care services for their clients are rising due to factors beyond the control of the CCACs; and

"Whereas the funding provided by the Ontario government through the Ministry of Health and Long-Term Care is inadequate to meet the growing need for home care services; and

"Whereas the funding shortfall, coupled with the implications of Bill 46, the Public Sector Accountability Act, currently before the Legislature, are forcing CCACs"—such as in Niagara—"to make deep cuts in home care services without any policy direction from the provincial government;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) That the Legislative Assembly direct the provincial government to take control of policy-setting for home care services through rational, population-based health care planning rather than simply by underfunding the system; and

"(2) That the Legislative Assembly direct the provincial government to provide sufficient funding to CCACs to support the home care services that are the mandate of CCACs in the volumes needed to meet their communities' rapidly growing needs; and

"(3) That the Legislative Assembly make it necessary for the provincial government to notify the agencies it funds of the amount of funding they will be given by the government in a fiscal year at least three (3) months before the commencement of the fiscal year."

I affix my signature. I am in complete agreement with the sentiments of this petition.

#### EDUCATION TAX CREDIT

**Mr Rosario Marchese (Trinity-Spadina):** I have hundreds of petitions with thousands of names of citizens opposed to the tax credit for private schools.

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

I sign my name to this petition.

#### LORD'S PRAYER

**Mr Jerry J. Ouellette (Oshawa):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the Lord's Prayer, also called Our Father, has been used to open the proceedings of municipal

chambers and the Ontario Legislative Assembly since the beginning of Upper Canada in the 18th century; and

"Whereas such use of the Lord's Prayer is part of Ontario's long-standing heritage and a tradition that continues to play a significant role in contemporary Ontario life; and

"Whereas the Lord's Prayer is a most meaningful expression of the religious convictions of many Ontario citizens;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario maintain the use of the Lord's Prayer in its proceedings, in accordance with its long-standing established custom, and do all in its power to maintain use of this prayer in municipal chambers in Ontario."

I am in full endorsement and I am proud to sign it.

#### EDUCATION TAX CREDIT

**Mr James J. Bradley (St Catharines):** I have a petition which has been given to me which reads as follows:

"To the Ontario Legislature:

"Whereas the announced tax credit for private school tuition will lead to government funds being directed to private education rather than the underfunded public school system that is mandated to educate all children, regardless of cultural, religious or socio-economic status;

"Whereas the education tuition tax credit of up to \$3,500 per child, when fully implemented, will lead to an increase of students being enrolled in private schools to the detriment of the public schools;

"Whereas there will be no accountability for the use of public funds allocated through the education tuition tax credit; and

"Whereas the advocates for religious schools have indicated they will continue to seek full funding for religious education with the potential result of more public funding being diverted to private schools;

"We, the undersigned, call on the Ontario Legislature to vote to remove the education tuition tax credit from Bill 45, the Ontario 2001 budget legislation."

I affix my signature.

1600

#### ORDERS OF THE DAY

##### STABILITY AND EXCELLENCE IN EDUCATION ACT, 2001

##### LOI DE 2001 SUR LA STABILITÉ ET L'EXCELLENCE EN ÉDUCATION

Resuming the debate adjourned on June 19, 2001, on the motion for second reading of Bill 80, An Act to promote a stable learning environment and support teacher excellence / Projet de loi 80, Loi favorisant la

stabilité du milieu de l'enseignement et soutenant l'excellence des enseignants.

**The Speaker (Hon Gary Carr):** Further debate?

**Mr Rosario Marchese (Trinity-Spadina):** I'm not sure whether Bradley heard my arguments yesterday. Did you, Jim? He didn't—

*Interjection.*

**Mr Marchese:** —and you didn't either, so I suggest you review Hansard.

On Bill 80—let me see, what do we call this bill? It's called the Stability and Excellence in Education Act. Good citizens of Ontario, it's 4 o'clock in the afternoon. We're debating an important bill today. This bill proposes to give stability and excellence in education. What have I said to you citizens and taxpayers of Ontario? I said that whenever you have a title of this sort, that purports to say one thing, I suggest to you that it belies its title, that it says something else. Always view a bill in its contrary meaning: if it says "stability," it means instability; if it suggests excellence, it's likely to mean lack of it.

**Ms Marilyn Mushinski (Scarborough Centre):** That's what it meant when you were in power.

**Mr Marchese:** No, but I'm going to explain to you, mon amie, what I think you're doing.

**Ms Mushinski:** How well I remember when you used to be in office.

**Mr Marchese:** Oh, I'm sure you have a good memory. But I want to remind you of a couple of things that you did, and you're still in office. How does taking \$2.3 billion out of the education system give stability to the system? How does it do it?

**Hon Chris Stockwell (Minister of Labour):** You're like a broken record.

**Mr Marchese:** Why, is your record any different? Stockwell says I'm like a broken record. When I read this title, "stability and excellence," what does that record sound like to you? Have you heard that record before? Of course they've heard the music, Stockwell. They've heard your music; they know it now. They can almost sing it; they know it by heart. They know your songs already. After six years in office, they know it by heart. They know what's coming. Every time they hear "stability," they say, "Oh, my God, here it comes again." Talk about broken records. Come on.

Some \$2.3 billion taken out of the education system.

**Hon Mr Stockwell:** No.

**Mr Marchese:** I know you say, "No," and I know Minister Ecker says, "No, we haven't done that." What do you think I expect you to say, yes? Do you think we expect Ecker, in any committee outside of this place or in this place, to come and say, "Oh, yes, by the way, we did take some money out of the education system, because that's the way we are. We're that kind of a government; we love to suck money out of the system, out of services, because that's the way we are"? Do you think Minister Ecker and the rest of you are going to say that? Of course not. That would be dumb, right? Of course it would be dumb. So what do you have to say? You just deny: "Oh,

no, that's not true." In fact, Ecker and the others say, "No, we put in more money."

**Hon Mr Stockwell:** We did.

**Mr Marchese:** OK, you did. So why is it that when we debate the idea of tax credits for private schools—and we've had eight days through the magnanimous, of course, reach of this Conservative government. But within those eight days we heard a lot of people talk about the devastation that you have left. You don't have to believe me; I'm talking about what they're saying, not what I'm saying. In committee you had trustees. Most of the trustees are your buddies—and yours too, John. Minister Stockwell, most of them are Conservative in their affiliation. You know that. They may not be party members, but most of them are Conservative-leaning, proclivities to the right side.

So in committee those trustees and those boards of education and those federations—I know you don't like the federations; you call them unions, they call themselves federations. I know you don't like them either. I know you also don't like parents who come and say, "I am sick and tired of listening to you, your members, your minister, saying, 'We've put more money in the educational system than ever before.'" Parents are saying, "We're sick of it." Why are they sick of it, as I am? Because they know you have sucked money out of the educational system. How have you done it? There is demonstrable proof.

**Mr Dominic Agostino (Hamilton East):** On a point of order, Mr Speaker: I hate to interrupt my colleague in a quite interesting debate, but I think it's important for more members to be here to listen. I would like to ask if there's a quorum present.

**The Acting Speaker (Mr Christopherson):** Is there quorum?

**Clerk at the Table (Ms Lisa Freedman):** Quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk at the Table:** Quorum is now present, Speaker.

**The Acting Speaker:** The member for Trinity-Spadina has the floor.

*Interjection.*

**Mr Marchese:** I remind the Minister of Labour that when he was here on the other side he would call quorum at the drop of a coin. Every other second he'd stand up and call for quorum. Now he decries the use of that parliamentary tradition. How funny it is.

As I was saying, I've been in those committee hearings in Toronto, London, St Catharines and Ottawa, and the majority of people are saying, "We've seen the loss of teachers in our school system, the loss of music teachers, loss of librarians, loss of guidance teachers, loss of technical teachers."

They're saying 36,000 young people are on a waiting list for special education service. They can't get an identification, placement and review committee together in order to be able to identify what their problems are. So, Raminder Gill, you've got 36,000 people on a wait-

ing list and you guys have the temerity to say, "We're giving them more money than ever before."

They're sharing textbooks, old textbooks, passé textbooks. Imagine, a new curriculum and you still don't have enough textbooks to cover the new curriculum. People are sharing some of those and some don't have them. This, with a new government loaded with money, whining about the federal government not passing down more money to them. Harris, when he was on the other side, would say to the New Democratic Party, which was then the government, "Stop whining, Bob Rae. Do your job. You've got the wheel."

Now you've got Harris at the wheel, driving and whining day after day, year after year. He can never get enough. He gets a couple of billion dollars from the federal government, after many years, this is true, but he gets some or, I would argue, enough. In the context of what we didn't get from Mulroney and the then Liberal government, what they're now getting from the Liberals is more than we ever got, and he's whining like a little child: "If only the Liberal federal government would give us more."

In the meantime we say, "Where is your money going?" It's not going to special ed, is it? It's not going for the textbooks. It's not going for those teachers who are absent from the classroom. It's not going to the educational assistants who are being fired, even in your banker riding. Even there educational assistants are being let go. Everywhere across Ontario educational assistants are also being let go, fired—not just teachers, not just special-education teachers, but caretakers. I say there are more mice in the schools than there are kids these days because there's no one to look after our schools, so dirty and so infested they are. That's the legacy you people are leaving us.

1610

**Hon Rob Sampson (Minister of Correctional Services):** And you left us all the portables. Is that what you left us?

**Mr Marchese:** At least we did a fine job of taking care of people, whereas now you're taking care of the mice and the rats in the schools as opposed to those people who are supposed to be getting an education and teaching in those nice places of learning. How do you people defend yourselves?

In the midst of a tax cut, of a tax credit for private schools, you then introduce this Stability and Excellence in Education Act as a measured distraction from what the majority of Ontarians are concerned about and are opposing. Why? Because they know, if you've taken \$2.3 billion out of the educational system, that with this measure to give private schools yet again \$300 million as a minimum, we all argue, it will devastate even further the public educational system.

You people don't care about public education, and I don't have to be the one telling you—parents are telling you. They don't believe you when you say, "We love the public system. We defend the public system." They don't believe you. How can they believe you when you're just

sucking money out of the system? You're about to do so with the tax credit, the majority of which, of the \$300 million to \$500 million to \$700 million, is going to go to those private non-denominational schools, the likes of Upper Canada College, where they pay \$16,000 for tuition fees. If they bunk down there they've got to pay \$28,000.

It's unthinkable that you people would give our money, the money of citizens and the money of those who consider themselves just taxpayers as opposed to citizens. That money is going to private education, to people who don't need the break. Private schools are set up for the purpose of being private, for the purpose of keeping the public out. They're set up to let only certain people in. If you give them \$3,500, they'll jack it up in order to prevent people from getting in. That's what it's about. Yet these Tories, these fine Tories, are finding money for private schools.

Why, Mr Flaherty came in front of our committee to say, "People have been saying, 'We want our own educational system in both our language and our culture.'" I couldn't believe that a Tory would utter such words. With his disdain of all our immigrant communities in the country and in this province, he then comes in front of the committee and says he wants to help those immigrants out so they can have their own education in their own language and their own culture. I couldn't believe it: he who took part in repealing the Employment Equity Act, that which would support people who have been discriminated upon and continue to be discriminated upon in this province, which includes people with disabilities, aboriginal people and people of colour. Now he wants to help them. Can you believe it? He gets rid of welcome houses, those which would help new immigrants into the country to get a proper orientation, and now he says he wants to help them with their own education, their own language and culture.

The international languages programs at the Toronto board of education which teach a third language and culture are threatened. They may not exist. Every year they're fighting. They're hanging by a thread every year because the provincial government doesn't flow the money for that board of education to maintain its program, including the Catholic board, which has those international languages. They're holding on by a thread. Yet this government says, "We want to help the people so they can have their own education, their own language and culture." Can you believe that? These are Tories arguing that. I've never seen that before.

You have people in that committee, Conservatives, defending it, defending the fact that these schools would not be accountable at all to this government, yet they make the public system more accountable than ever. They pounce on boards, saying, "You're not accountable. We'll make you accountable." They pounce on boards by saying, "You will have a new curriculum because you're not good enough." They pounce on boards by saying, "We're going to control your financing," and yet for money to the private schools there is absolutely no

control, and that's OK says Mr Hardeman and others on that committee. Can you believe it? These are Tories.

Horror of horrors, it was a tax credit that impinges on the educational system, that affects society and the public school system unlike any other measure before, and it's Flaherty who introduces it. It's not M<sup>me</sup> Ecker, the Minister of Education, who comes to his defence by saying, "We are going to deal with the consequences of this tax credit, consequences of which bear and impinge on the public system." She has stayed out of it. Of course, all the poor finance people say is, "Look, we're just giving some money to individuals who send their kids to private schools to help them out. Don't ask us about implications, because we've got nothing to do with that." M<sup>me</sup> Ecker is completely on her own.

This government then introduces a bill called The Stability and Excellence in Education Act, which brings non-teaching education workers under the Education Relations Commission jeopardy advisement process and mandates three-year teacher contracts. Normally, that wouldn't be such a bad thing. I suspect a lot of boards might even like it. But boards would love it and teacher federations would love it if only you could show some graciousness, some support by saying, "You will have the money." Looking at past practices, they know they're not getting the money, and now you're going to bind them to a three-year contract without adequate funds. They're not suckers; they're not going to be sucked into that kind of thing. While they might agree with three-year contracts, they're saying, "If we're going to be stuck with inadequate dollars, we don't want it." The history of this government is that they've been getting less and less with each passing year. They want three-year contracts? No way, Jose.

Workload and extracurricular activities: they still maintain the 6.67 workload, that which has caused so much chaos, so much instability in the system and so much unhappiness in the teaching profession that these people refused to address even their own committee. Finally, they addressed it and what did they do? They said, "No, the workload remains the same. Boards will now be forced to provide extracurricular activities," and they leave it to the boards to decide how to manage the workload.

You know what the answer is to the workload question? "We can reduce the workload of teachers, that which has caused so much instability and unhappiness, by increasing class size." That's the tool these people have left the boards of education. They say to the boards, "You can do it if you want, but the way to reduce the teacher workload is by increasing class size." Thank you very much, you fine Conservative, magnanimous Tory caucus, that which stands for stability in this province. You're good, Stockwell. You and the others are really good.

**Mr Garfield Dunlop (Simcoe North):** Are we good or bad?

**Mr Marchese:** I don't say that positively, you understand. I say it with a great deal of irony, which implies a great deal of negativity attached to that statement, right?

But the people see through you people. The citizens see through you and many of your taxpayer friends are seeing through you, because they've got to live the tax cuts. You see, they take their kids to school every day and they involve themselves—

*Interjection.*

**Mr Marchese:** Yes, I think your spouse probably does a little more of that work.

**Hon Mr Stockwell:** No.

**Mr Marchese:** I suspect so; I could be wrong. But if we asked your spouse, Mr Stockwell, about what she thinks about what you're doing and what Ecker is doing with respect to the cuts, I'm sure she would be on my side and not on yours.

Stockwell is laughing hysterically, and the reason for his hysterical laugh is because he knows it's true. Oh, if truth be told.

So here's how they solve the extracurricular activities; what a fine way to do it: "Boards, no problem, you can do it. We're not going to give you any extra money. The only way to do it is jack up the class size that has been pretty high in this province for a long time and getting worse."

1620

*Interjection.*

**Mr Marchese:** I don't know. It's catching up to you. The education workers are going to be brought under the jeopardy advisement process. The Conservatives claim to want to promote labour stability in Ontario schools, and yet it is their Bill 160 that gutted the Education Relations Commission—gutted it. It was the ERC that mediated and monitored conflict negotiations then. No longer. Under our term, it was the ERC that trained arbitrators. No longer. The only function left to it by the government is advising jeopardy during a strike. The threshold of advising jeopardy during a strike used to be 45 days. Now it's 15 days, and it gets less and less. It's all these people do. They don't do anything useful any more.

And now they don't want just teachers under that; they want to bring the other education workers under that—as a way to help them, do you think? I think it's designed to attack their right to strike for a fair contract. That's why you're doing it, Monsieur Stockwell and others on the other side.

My point is that it's catching up to you. I really thought you people were going to be a little more intelligent than you have been in the last year or two. Then I thought you would coast like in the good old Davis days: find out what people want, give them a little bit and stay out of trouble for a long time. But you people jump into the fire like wildcats. You people have a lot of muscular fortitude. You people are strong. You don't even know danger when you see it. You jump in, you come out and you jump right back in. People are catching up to you; that's the beauty of it all. They'll oppose this measure, this bill, as they oppose your tax cuts and your tax credits for private schools.

**The Acting Speaker:** It is now time for questions and comments.

**Hon Mr Sampson:** I listened with amusement to the member from Trinity-Spadina when he talked about his party's and his government's commitment to public education. I say to the member for Trinity-Spadina that every time I take my son or my daughter to school I see the results of the commitment of the NDP government to public education. There are thousands of those shrines across Ontario. They're portables. There are thousands of them across Ontario, a tremendous commitment by the NDP government to public education. On behalf of the many kids and the parents who have kids in portables across this province, I thank you for that commitment. It's tremendous. You don't know how much they enjoy learning in portables. To the Liberals who are sitting here, I say they contributed to the portable equation as well.

*Interjection.*

**Hon Mr Sampson:** Member for Trinity-Spadina, sit down. You're OK. We understand your commitment. As I go to my son's graduation tonight, I'm going to be sure to say to the parents who are there, "I'm more than pleased, on behalf of the NDP, to thank you for sending your kids to these portables. That's their commitment to public education." It's great. They love it. Do you know how much they love it? They elected us to get rid of them, which is what we've been trying to do since 1995. We're getting rid of these tremendous shrines of public education commitment of the NDP government. We're sending them to construction sites around Ontario. We're sending them to places where kids don't have to go to learn. We're sending kids to real schools, real buildings, real bricks and mortar. Do you know what? We're even lowering class sizes that you let go up and up and up every year you were in power. That's the way you managed the budget. That was the NDP's magical way to manage the budget.

**Mr Agostino:** I agree with many of the comments made by my colleague from Trinity-Spadina. I find it interesting that this bill is about stability in education. This is coming from a government that has spent six years intentionally and purposely creating instability in public education so we can get to where we are today. We all remember the famous "Create a crisis." We all remember that. This is the same government that has spent six years creating instability to get us today to where they want to bring in vouchers and funding for private schools.

It's very clear that this government's agenda from day one was to ensure that the public loses confidence in public education. They've attacked teachers. They've cut funding. Look at my own situation in Hamilton. Two days ago the board had to make a budget decision, and you're well aware of it, Speaker, coming from Hamilton. Eighty-one teachers have been let go. Eighty-one teachers will be fired, because the board cannot afford to hire teachers for next year. The English-as-a-second-language program has been cut. Programs for disabled kids are going to be cut. This is not fearmongering. This is the reality of a budget approved two nights ago by the Hamilton district school board because of your cuts.

Disabled kids who are now waiting for services are going to wait even further because you have cut those programs and you have forced the boards to cut them. You talk about stability. If you want to create stability, take the money that you've stolen out of public education and put it back. Drop this silly idea you have of taking money out of public education and giving it to private schools, of giving it to kids at Upper Canada College. That's the kind of stability you want.

If you want to talk about creating a climate of chaos, this government has spent six years and has mastered that, and kids are paying the price today because of decisions made by Mike Harris. This government thinks it's more acceptable to give over \$2 billion in corporate tax cuts to their rich Bay Street friends than it is to put it into classroom education. Dalton McGuinty and the Liberals have a plan, and that plan is to put money back into education, cap class sizes and scrap this idea of vouchers for private schools.

**Mr Peter Kormos (Niagara Centre):** A few weeks ago, I was up in Ottawa and met with a whole group of school custodians from here in the province of Ontario. Yes, they were CUPE members, OK? They exercise their right to belong to a union. But I met with this whole group of custodians up at the CUPE conference in Ottawa and they were telling me that at the schools they work in—these are the women and men who clean these schools and keep them safe for people's kids—as of two weeks prior to that, over a month ago, the cupboards where cleaning supplies were being kept in the schools that they work in were literally empty. All you could see were the rings on the plywood shelving where the cans of cleaning solvents and detergents used to sit.

That was some five weeks ago now when the shortage started, and the fact is they still have the biggest task of the year ahead of them. That's the before-summer cleanup, where they really scour the school. They've got no cleaning supplies. I said, "OK," because I know that some members here will say, "Oh, but they were CUPE members and they were obviously elected people in their unions. That's why they were there at a conference, a convention, representing their workers."

So when I was at the Bill 45 committee hearings with Rosario Marchese in St Catharines when they kicked off, and when the disruption finally ended, I asked teachers whether that was consistent with their experience. They assured me it was. I've asked teachers and other school staff here in the city of Toronto if that's consistent with their experience, and they assured me it was. You've got a bright young man sitting in the members' gallery here, Matthew Hinton. His dad is a teacher down in St Catharines, and he's saying the same things. Teachers have been under attack, school staff have been under attack, public education has been under attack, finally culminating with the removal of public funds from public education so this government can finance and pay for private schools.

This bill has nothing to do with stability and has everything to do with yet another attack on educators.

**Hon Mr Stockwell:** I always enjoy the dissertations of my friend from—

**Interjection:** Trinity-Spadina.

**Hon Mr Stockwell:** Trinity-Spadina. He's an interesting—

**Interjection:** Amusing.

**Hon Mr Stockwell:** Sure, amusing. A very engaging gentleman. We know full well that I disagree with basically everything you said, except—

**Mr Marchese:** Everything?

**Hon Mr Stockwell:** Well, I can't really think of too much—no, no, I think it's everything. I disagree with everything you said.

But having said that, the humorous part is, he's into his speech, full flight, he's flapping away, giving us all the good things the NDP are all about. Then he slipped over the slope, right? He went over the edge, because he started giving us political advice. Now, that's when I've got to grab my belly and slap my knee. Can you believe a dipper sits in this place, with all nine of them, eight shortly, who were—what were they?—in Muskoka about 3% in the polls, and probably in the Vaughan-King-Aurora riding you're going to be, what, 2.5%? And you're telling us how we should go about getting re-elected, the old Davis years? You're telling us how to get popular?

Listen, if you think we should do certain things to get popular, I've got a little tip for you there, my friend. Maybe you should try it, because then you could get up in the polls, maybe get a couple of people elected and possibly move over here to become official opposition. You know, these are good ideas. So before you go advising us on how we strategize our political future, you might just want to have a look at the last few by-elections, the last general election, all those things where you guys polled—the Green Party beat the heck out of you. That's something you've got to look at.

On your speech, I don't agree with it, but I've got to tell you, think—think real long and hard—before you start advising people how to run their political careers, because yours is in the trash bin.

1630

**The Acting Speaker:** The member for Trinity-Spadina now has up to two minutes to respond.

**Mr Marchese:** I really wanted him to tell me in public what his wife thinks about the educational policies of the Conservative government. I was curious. You notice he didn't speak about it, because he knows. He knows the key here; there are a whole lot of things going on, where the other parents with whom she consorts—

**Hon Mr Stockwell:** She voted for me.

**Mr Marchese:** I hope. I hope she voted for you. But I've got to tell you, Chris Stockwell, Minister of Labour, you guys are slipping in the polls. But you never know. God might exist and he might help you, give a little lift. He might help you a little bit again. Who knows? You could be lucky again.

But here's what Mr Sampson, another minister from Mississauga Centre, is proud of. Here's what he's proud

of: he's proud that last year 44% of schools had no music teacher. This year that number has jumped to more than 50%. He's proud of that. Some 67% had no physical education teacher. He's proud of that. Sixty-three per cent have no ESL teacher. Oh, he's proud of that. Eight per cent have no full-time librarian. He couldn't be chipper, couldn't be happier with that. Design and technology teachers have been cut by 40% in elementary schools since 1998. Couldn't be happier with that, eh, Mr Sampson, minister from Mississauga Centre?

Since the Conservatives came to power, enrolment in Ontario has increased by 59,000 students, while the number of teachers has decreased by 11,399. Ontario is on the brink of a major crisis. Sixty per cent of boards are experiencing a teacher brain drain. The biggest problem for boards is in retaining teachers. The teacher shortage will only get worse.

The Canadian Teachers' Federation has warned teachers not to come to work in Ontario because of the education policies of the Conservative government. You people are proud of that? We have fewer educational assistants than ever before, we have fewer social workers, and you people are proud of that? You call that stability? I've got to tell you people, some ball bearings are not there.

**The Acting Speaker:** Further debate?

**Mr Doug Galt (Northumberland):** I certainly appreciate the chance to take part in the debate on Bill 80. Our government has laid out the key directions for continuing education reform. We've made several clear commitments for what we indeed would do. We've been getting on with those commitments, moving forward to do what we said we would do, but also listening to the advice and to the input that we've received on how best to proceed.

Some of the key components of the Ontario plan for quality education include: (1) a more vigorous curriculum, with kindergarten through to grade 12; (2) a new province-wide code of conduct to help create safe environments for students to learn and for teachers to teach; (3) new school council regulations to ensure that parents have a stronger voice in their children's education; and (4) a comprehensive teacher testing program to ensure that teachers keep developing and improving their skills.

Parents want us to ensure that students receive the benefit of these and other quality education reforms. We want our students in the classrooms learning and growing, guided by their teachers, and meeting the challenges of Ontario's rigorous curriculum.

I'd like to spend just a little time discussing labour stability, that portion of this particular bill. Parents and students have expressed concerns about labour disruptions involving school boards, teachers and school staff unions. Thousands of Ontario students had their education disrupted during the past year by labour disputes. Recent labour disputes in Toronto, Windsor-Essex and Parry Sound-Muskoka also demonstrated that disputes involving support staff can have a direct impact on the delivery of education to students. In Durham, we have

recently seen an example of summer school opportunities for students being put at risk because of a labour dispute. All education partners are interested in seeing better ways to resolve collective agreement issues.

The legislation would make adjustments to the collective bargaining process in the education sector to reflect the need for greater stability. It would ensure that the collective bargaining framework includes greater recognition of the interests of students and parents.

The legislation would require future collective agreements between school boards and teacher unions to run for a term of three years. This requirement would of course be phased in. As current contracts expire, school boards and teacher unions would be required to negotiate contracts that expire on August 31, 2004. At that point in time, all subsequent collective agreements would have a term of some three years.

A lot of energy is expended by boards and teachers in bargaining one-year agreements. We believe that both parties need predictable extended periods free from collective bargaining so energies can be focused on the delivery of quality education to students, rather than having this annual labour disruption problem that some boards have experienced. We think that kind of stability is important and what parents and students and teachers say that they need.

Some teachers' federations, for example, have tried very hard to do a long-term agreement with school boards and some school boards have been doing that. We have had unions and school boards that have had two- and three-year agreements. They have been able to make that work. They have said that was a helpful thing for students and teachers. We agree.

This legislation is asking all school boards to do longer-term agreements, three-year agreements; to use the \$360 million in net new dollars to the education system this year to reach responsible, fair agreements. Local agreements are the best solution.

School boards and trustees will continue to fulfill their mandate to deliver quality education to their communities. The more that boards and trustees can focus on their primary responsibility for quality education and the less they have to focus on the labour disputes, the better it will be for students in publicly funded schools.

We have provided resources for boards to achieve a reasonable settlement with the teachers' unions. Our funding formula sets a framework within which boards operate and negotiate collective agreements. We continue to provide funds for classroom resources and expect that boards are making reasonable decisions.

Many school boards and teacher unions have successfully reached multi-year contracts without strikes or lockouts. In fact, over half of the current teacher contracts in Ontario are already longer than one year. Our proposed legislation would both respect these current agreements and assure students, parents and teachers that the longer three-year contracts and greater labour peace would be the norm.

By setting the 2004 date, there is no interference with agreements already in place. Boards and teacher bargain-

ing agents with collective agreements that end in August 2001 can continue with the collective bargaining process already in progress. There is no requirement for collective agreements that end in 2002 or 2003 to be reopened.

The Education Relations Commission would be continued. Its mandate to advise the government when the school year of students is in jeopardy because of a strike or lockout involving teachers would be expanded to include any school board employee group. The commission can currently provide such advice only in disputes between school boards and teachers' unions. It is the appropriate body to make that determination with respect to support staff.

In the vast majority of cases, the collective bargaining process works well and the parties reach agreements without any interruption in service. As well, there are tools available to the parties to resolve the disputes without resorting to job action affecting students. The government will continue to encourage the resolution of disputes through mediation and arbitration.

We are keeping our commitment to provide the quality of education that parents want for their children in a stable learning environment. Parents and teachers are looking for better ways to resolve collective agreement issues. We are acting to bring stability to our schools.

#### 1640

Just a few words on some of the co-instructional activities: our government has committed to giving school boards and high school principals greater flexibility to recognize co-instructional activities when assigning teachers' workloads. Parents want to be assured that their children learn in school environments that are enriching and indeed stable. Teachers and volunteers, here and in many schools across the province, are supporting co-instructional activities, as they have always done, but we share the concern of parents and students in schools where a full range of co-instructional activities is not available.

Outside their regular classes, students participate in a wide range of sports, arts and cultural activities. Other important activities that contribute to a quality education for our students also take place outside the instructional day. These include parent-teacher interviews and school functions such as commencements and graduation ceremonies.

These co-instructional activities are an important part of a student's education. Teachers have often stated that making these opportunities available to students is an important part of their professional responsibilities. Parents have told the government that they do not want their children denied important school-related activities because of labour disputes. The Stability and Excellence in Education Act would implement key recommendations from the minister's advisory group on co-instructional activities and other educational partners to ensure that co-instructional activities are available to all students.

Bill 80 would maintain the current requirement that high school teachers teach an average of 6.67 eligible courses a year, the course load equivalent of an average

of four hours and 10 minutes a day, but provide greater flexibility in the regulations that define instructional time to include time spent giving remedial help to students so they can meet the challenges of Ontario's rigorous curriculum and time spent on duties such as supervising students and filling in for absent teachers. It is planned that regulations would prescribe the details for all eligible programs that can be counted as instructional time and how they are to be counted.

The maximum average class size for secondary school classes, calculated on a board-wide basis, would of course remain at 21. The legislation would allow a school board to pass a resolution at a public meeting to vary the maximum average class size in high school by up to one student. Bill 80 would give the Minister of Education the authority to make regulations respecting the process and timing of the resolution, the period of time during which the resolution would apply and the matters that the resolution must provide for. It is then incumbent on the board to ensure that the aggregate average class size does not exceed that passed in the resolution. Boards have asked for more flexibility with respect to secondary class size standards, and we are giving them that flexibility to ensure students receive a better education.

This does not mean that all teachers have to have the same workload. The instructional time standard of 6.67 is an average workload. School boards would have the flexibility to vary the assignment load of the teachers. For instance, in addition to teaching credit courses, some teachers could be assigned remedial instruction, others could be assigned supervision duties and a third group could include all three components in their workload.

It also does not mean that schools will end up with all teachers teaching a quarter-credit course. We have reduced the average credit course workload for teachers and have stated that we will recognize remedial instruction, supervision and substitution for absent colleagues in the instructional time calculation.

Nothing in the legislation requires that all teachers have the same workload. We have provided flexibility to the boards. We expect teachers to be flexible in working with those boards to meet the needs of our students.

This provides the boards with the flexibility to access resources that could be used for local priorities to meet the needs of students for quality education. There are indeed opportunities for better programming for students, a safer school environment and more time for qualified teachers with students.

The instructional time standard is consistent with other provinces. With this legislation, the government has introduced additional flexibility into the system and expects school boards to work with teachers to best meet the needs of those students.

The changes resulting from Bill 80, by contrast, would not cost taxpayers extra money. They will in fact let boards use existing funding more flexibly to meet their priorities, as was recommended by the Advisory Group on the Provision of Co-instructional Activities.

We have always said that smaller class size contributes to student achievement. Teachers and parents alike

agree on this point. That's why we took steps to lower average class sizes. We have provided \$264 million to make class sizes smaller. Class size at the elementary level has already been reduced.

The bill would repeal some sections of the Education Accountability Act, 2000, which made co-instructional activities a duty of a teacher and which provided to principals the authority to assign co-instructional activities to a teacher.

As announced on May 7, the government plans to proclaim the sections of the Education Accountability Act that require school boards, in accordance with guidelines provided by the ministry, to develop and implement plans for the provision of co-instructional activities for high schools. The bill would also require the principal to develop and implement a school plan for co-instructional activities and to seek input from the school council on this school plan. We are implementing a compromise that would restore co-instructional activities in our schools this fall. We are committed to setting high standards for student achievement in Ontario, and we are committed to providing students with the tools and the environment they need to succeed.

Our educational reforms continue to be focused on supporting excellence, achievement and accountability within the public education system. All our education reforms—more challenging and rigorous curricula, standardized student testing, fair and equitable student-focused funding, safer schools, teacher testing and a stronger voice for parents in their children's education—have been aimed at supporting these objectives. Quality education requires a commitment of significant public resources as well as flexibility for school boards to define and meet their local priorities.

We recently announced that funding for the public education system for the 2001-02 school year would be increasing by more than \$360 million. That is indeed a pretty significant amount of money. Education funding for the coming year is up by 2.8%, higher than funding for the current year. That represents an increase from \$12.9 billion to \$13.8 billion since our government took office in 1995. That's comparing apples with apples; it isn't making other comparisons, as back in 1995, with the figure being bloated with some other information in there. That's a direct comparison of \$12.9 billion moving to \$13.8 billion, an increase of almost \$1 billion in those six years.

In response to suggestions from the education community that the additional \$360 million for the coming school year is being provided in a way that allows for greater flexibility in determining local priorities—I heard from my two local boards that they wanted more flexibility in the system, and certainly our government is responding to those concerns.

1650

In addition to the necessary resources, quality education requires stability and positive school environments to support teaching and learning and to ensure the availability of co-instructional activities to all students.

An educational system committed to quality is an educational system where everyone must work. This bill, ensuring that co-instructional activities will occur and ensuring labour stability, at least for a three-year period, will certainly go a long way to improving the quality of education. This improvement of the quality of education will provide a stable student population.

We've heard during some hearings the real concern that students might be moving out of the system to independent schools because of the tax credit recognition in a budget bill. But this bill will improve the quality of education. I don't think there's any question, if this goes through, and I'm sure the opposition parties are more than willing to support this particular bill, that it will help to improve the quality of education.

I've heard the opposition members express great concern about the number of students that might flow to an independent school. I can tell you there's only one reason that I can see why students might flow from the public system to the independent schools, and that's labour unrest. With union rhetoric, no wonder parents get pretty upset at times as to what's going on, and it's been ongoing for a long time. As a matter of fact, when I was on a school board back in the late 1970s—I served two terms—at that time the rhetoric was very high. They have fought with every Minister of Education for the last 25 years, including both parties in opposition when they were in government. The teacher unions did not like those Ministers of Education and they don't seem to like the current one. I don't know what party or what minister they would really like. I just remember the kind of protest that was going on back in 1976-77 with school boards.

So again, with Bill 80 passing, I see a tremendous amount of stability and improvement of quality education here in Ontario.

**The Acting Speaker:** It's now time for questions and comments.

**Mr Mike Colle (Eglinton-Lawrence):** It's my pleasure to rise and comment. As you know, this government has been hell-bent on a centralized model of control over public education. It is a centralized, cookie-cutter-type approach to education whether you're in Toronto or you're in Timmins or you're in Temagami. They believe that one size fits all. As you know, our children and our schools are unique and different in every community in this province and they're wonderfully different. This government, on the other hand, wants central control in the Premier's office over our children's education. They don't want to listen to parents, they don't want to listen to students and they certainly don't want to listen to teachers. In fact, they have conducted a sophisticated war on teachers to undermine them, to demean them and to in essence put them into a bad light for their political advantage, to essentially go to their core redneck voters who don't appreciate good public education. That's who they're catering to.

This is about stability? We've never gone through such a period of instability in public education in this province, whether in the Catholic school system or the

public school system. There's universal agreement that there's never been more turmoil and chaos, to the detriment of our students, by this government intervening in every aspect of education in a negative way, like their ridiculous cookie-cutter formula based on square footage, which doesn't take into account the needs of children or the program needs. It's a centralized formula from Queen's Park, which has no idea what's going on in our classrooms. They have declared war on our classrooms and, sadly, our students are paying the price of this declaration of war, which is nothing but political grandstanding by this government. We've had six years of it. Enough is enough. Stop waging war on our children and get rid of this conflict. This bill continues the conflict because it doesn't match the reality of the funding to what this legislation is about. It's time to stop.

**Mr Kormos:** It's amazing, because I mentioned earlier about meeting with school custodians from the public school system here in Ontario whose lockers containing the cleaning supplies were empty three weeks ago now. Across the province—and I checked it out; I verified it with teachers and families with kids in schools across the province—there are no cleaning supplies for the custodial workers, women and men, to clean schools with. Then I read this reference to an annual survey that's done in Hamilton regarding the cleanliness of the schools. The most recent annual survey finds that the schools are, quite frankly, dirty, that they just barely passed. The schools are being left in unsanitary conditions for your kids to travel about and use the water fountains in and sit at the desks of, because custodial personnel literally don't have cleaning supplies.

This is an incredible state of crisis. We shouldn't be overly surprised, because this government's first Minister of Education promised a crisis in education. We sure got one. We now have this government diverting well in excess of the \$300 million it says from public schools to private schools after it had already gutted those public school systems of billions of dollars of funding.

Teachers know it. Teachers are paying out of pocket. I talked to them. I've been in their classrooms with them. They're paying out of pocket to buy fundamental supplies for their classrooms. Teachers are going out buying the crayons and markers and construction paper that junior-level kids, kids in elementary school, use as part of their curriculum, in terms of the stuff that they do with construction paper and scissors and glue pots and so on. Teachers are paying out of pocket literally to feed kids because of the abandonment of breakfast programs in so many of our schools.

The cupboard is not only bare, but it has been raided, pilfered and gutted by this government's abandonment of funding for public education. That's the crisis.

**Mr Dunlop:** I'd like to make a few comments on the member for Northumberland's eloquent speech. But just for a moment I want to congratulate the member for Glengarry-Prescott-Russell, Mr Lalonde, for his private member's bill this afternoon. I thought it was nice that we supported it, that there was all-party support on that

bill. I know we have a number of French communities across our province, particularly in the north of the province, and I think it was a nice gesture to do on behalf of the government, and I congratulate him for that.

That leads me a little bit into the fact that our government fully funds 12 French school boards across the province of Ontario, both the public boards and the Catholic school boards. Of course, that is part of the \$13.8 billion that we'll be spending in this current year.

Just a few comments on the member for Northumberland: I know he works very hard as a member of this government. I had an opportunity a year ago to sit on the rural task force with Dr Galt. We travelled across the province, and one of the issues we saw in a lot of communities across the province was the shortage of skilled tradespeople and basically the shortage of a lot of skilled people across our province. I know that was in the recommendations that came back to the Premier, how much emphasis we have to put on keeping our young people in our communities. I know that has been a personal goal of mine. I know Dr Galt supports that as well. Just recently—I think it was just this week—he asked me to attend another meeting, which I couldn't make. Again, it's an education issue, but I'm pleased to listen to his comments today and continue to support keeping skilled tradespeople here in Ontario and in our small communities.

**Mr Gerry Phillips (Scarborough-Agincourt):** I'd like to focus my comments on the member's comments on the funding. The legislative committee examining the voucher bill asked our independent legislative research to look at the numbers for us, give us an independent view on what the real numbers on education spending are. What they produced was that education spending in 2001-02—that's the year we're in now—in the province of Ontario is going down, not up, by \$75 million. That's independent legislative research. The government says, "Yes, but you realize that last year we had some special one-time funding in there for heating the schools." You don't think the schools are going to have to be heated this year? Of course they are. "We had some one-time funding in there for textbooks." I believe we'll need textbooks again.

1700

The member, Mr Galt, may want to comment on the fact that an independent look at the numbers says our spending is going down \$75 million. It also points out that when you look back six years ago and you look today, the spending per pupil is virtually the same in spite of the fact that inflation has gone up 12% or 13% over that time. So in terms of real support for education, it's down dramatically.

I just say to the people of Ontario, while the rest of the world, knowing that in order to economically compete, is investing in education, we're the only jurisdiction in North America that has decided we're going to cut \$200 million out of colleges and universities and we're going to spend \$75 million less on our elementary and secondary schools. It's foolish.

**The Acting Speaker:** The member for Northumberland now has up to two minutes to respond.

**Mr Galt:** Thank you very much, Mr Speaker, for the opportunity to respond. I certainly appreciated the generous and kind comments from the member for Simcoe North, although the other three respondents I can't compliment to quite the same degree.

The member from Eglinton north seemed to speak as if everything was great pre-1995 and education was perfect. That certainly was not what I was hearing. From the time I was on the school board until, really, 1996 or 1997, the big scream was the spiralling taxes on their residences. That's something we have not heard in a long time. Certainly I wasn't hearing these wonderful things about the quality of education that he seemed to be hearing.

The member for Niagara Centre is concerned about supplies. I'd be concerned about them too. But I would suggest he go and ask what kind of salaries the administration is getting. How many administrators do they have? What kind of administrative facilities are there? Maybe there are other places they should have a look and maybe the supplies would be available. Just have a look at a few other things that are in those schools, because that's often where some of the wastage is; at least in the past that's where a lot of the wastage has been going on. When you can't find paper towels, maybe they're in another storage someplace. Dear knows.

I listened to the member for Scarborough-Agincourt with some of his figures. You can play an awful lot with figures. But we have introduced flexible money. That was one of the big things: over \$100 per student this year into flexible money.

Audited figures: \$13.8 billion is an increase of more than \$360 million. That is actually what has increased.

Last year we were trying to be generous with some one-time funding, and maybe we shouldn't be doing that in the future, because he uses it in reverse. But there's no question that education quality is better now than it was six years ago.

**The Acting Speaker:** Further debate. The Chair recognizes the member for York South-Weston.

**Mr Joseph Cordiano (York South-Weston):** Thank you, Mr Speaker. I'll be splitting my time with the member for Scarborough-Agincourt.

I'm very pleased to speak on this bill because I think one of the things that everyone in the province can agree on is that under this government's administration we now have the most demoralized teachers, anywhere in the world, I would add. It's this government's policies that have led to—and I think they would even agree that we have a real crisis with respect to teachers in the classroom and the fact that they have been so demoralized by this government's policies: the constant attack on the teachers in the classroom, the demeaning of teachers, the villainization of teachers. These are all things we could lay at your doorstep that result from the tone this government has taken, from the direction they have taken with regard to policies. It is nothing short of a direct

attack on the teaching profession. It is a truly partisan political agenda designed to ensure that this government gains favour from the public by demeaning teachers. Everyone agrees that we now have teachers in the classroom who are truly demoralized. My wife is a teacher and I can say this: there has never been a time in her entire career when she has been more demoralized than in the last number of years that this government has been in office.

There is no doubt, when I speak to any of her colleagues, that this is the worst period they've ever encountered in teaching. The experience is not a pleasant one any longer. They do an enormous job to try and overcome these problems, to try and overcome the fact that they have a government that has perpetrated this constant attack on the teaching profession, so much so that 4,400 teachers have left the profession recently for reasons other than retiring. Where are they going? South of the border, because south of the border they know that our teachers are some of the best-qualified teachers anywhere in the world. There is excellence in our education system. I have to tell you that it's our teachers who have made the system as good as it could be under the circumstances this government has placed upon the system; it is those teachers, whom we have to say are excellent.

My wife took all the necessary courses during the time she was a teacher to upgrade herself, to make certain she was at the highest possible level of training she could acquire. When I look at this bill that requires mandatory recertification of teachers, I say this is nonsense. As I've said before, our teachers are some of the best anywhere in the world. Many of them have gone back to school to take additional courses, to qualify. Many of those who didn't have degrees went back to acquire degrees.

But I've got to tell you, that isn't the real problem. If we have a problem in our system, it's a result of this government's lack of funding. Furthermore, it has been proved to be the case over many years that the greatest barrier to advancement for many of the children in school is their socio-economic standing. We know from many years gone by—this is an established fact throughout history—that if you come from an area in our province—we do the best or we have done the best we could in the past, prior to this government, to overcome those barriers—from a socio-economic background that isn't as privileged, then you're not going to fare as well in school.

What is this government doing about that? It is completely ignoring it. As a matter of fact, in my riding I have three schools that have been determined to be schools in need in our city. They qualify for the program put in place by the Toronto District School Board to assist those needy schools. It's an inner-city program. They recognize that socio-economic barriers stand in the way of progress for students, and that has a great deal more to do with the end result in terms of quality in education, in terms of students succeeding and achieving higher academic levels, than picking on teachers and suggesting that somehow teachers are to blame for the

lack of performance of our students. What nonsense. What utter bunk. It's simply not true.

As my colleague the member for Scarborough-Agincourt pointed out just moments ago, per capita spending per pupil is the same as it was prior to this government entering office, and yet inflation has gone up by 12% to 15% during the last six years. That has eroded the purchasing power, it has eroded the spending power, of the boards. You haven't taken that into account, not one little bit.

When you talk about stable funding, you demand three-year contracts under Bill 80, but you fail to provide multi-year funding for those very boards you're asking to come up with three-year contracts. You're not giving them the tools to deal with multiple years of funding if you want those three-year contracts.

I say to this government again, it is pushing out your responsibilities to the boards and suggesting to them that they do more for a lot less, which we know is unsustainable. You've done that to municipalities, you've done that with hospitals. You're doing that with every transfer agency out there, and schools are no different. This is just part of the way you have chosen to govern—blame everyone else. You've blame the teachers, and this is a repeated pattern that's been going on for many years now.

1710

I say to you that there is no way we can achieve excellence in our schools if you don't start with the basic premise that our teachers have to be exalted, that they have to be placed up high in terms of priorities. They have to be honoured by this government, not dishonoured, not demeaned, not villainized, as you have repeatedly chosen to do over the last six years.

They do an enormous job in the classroom—I've sat in one of my wife's classrooms. It is a difficult task, and I know every member in this Legislature firmly believes that. When you really get down to the bottom of it, you realize that teachers have a very difficult task. Somehow you have created a very partisan agenda that you now have to keep buying into, because the boys in the backroom tell you that will succeed in the next election campaign: if you demonize teachers, if you continue to place on their shoulders the sole responsibility for whatever is going wrong in the education system, that scores cheap political points.

At the end of the day, I think that is turning on its ear. The public out there has begun to realize there's something wrong with that proposition, that there's something wrong with the way this government has carried out its agenda with respect to education. They're now actually beginning to question this government's real intentions, and they're beginning to say, "Enough is enough. The education agenda cannot move forward and we cannot create real excellence in our schools by following this government's distorted priorities, by continuing to demean the teaching profession, by continuing to severely underfund our education system."

If we want to succeed with our economy in the future, if we want to build the kind of economy that is second to

none in the world, you have to do a lot more than pay lip service to education, and you have to ensure that our teaching profession has the tools necessary to do the job. You cannot continue to starve the education system of funding.

I haven't got time to mention the voucher program. Obviously, this is not something that benefits our education system: it will only cause it to deteriorate.

Thank you, Mr Speaker, and I turn it over to my colleague.

**Mr Phillips:** It is mildly ironic that this bill is called the Stability and Excellence in Education Act. On the very day the Legislature voted on the voucher bill, the bill to extend funding to private schools. I just say, as we're looking at stability, that nothing will destabilize our public education system as much as that voucher program.

I say to the public, don't rely on the opposition talking about this. I want to quote what the government itself said, what Premier Harris said two years ago when he argued against extending funding for private schools. This is the brief, Mr Speaker. It's very thick, and it essentially indicated that to extend funding to private schools would do serious damage to the public education system. It says in this document that if the province of Ontario were to extend funding to private schools it would "undermine the ability of public schools to build social cohesion, tolerance and understanding. When diverse populations separate themselves from the general mix, the public system is the poorer because the opportunities for understanding and accommodating differences are diminished." Remember, this is the government; this is Premier Harris's language in arguing against extending funding.

"(b) Would result in the disruption and fragmentation of education.... If full and direct funding were provided for private religious schools, it is difficult to see why it would not also be required for schools established on the basis of language, ethnicity or culture. The benefits which Ontario receives from a public education system which promotes the values of pluralism, multiculturalism and understanding, would be diminished."

They went on to say in this that the Ontario party submits that "One of the strengths of a public system of education ... is that it provides a venue where people of all colours, races, national and ethnic origins, and religions interact and try to come to terms with one another's differences.... In this way, the public schools build social cohesion, tolerance and understanding.

"Extending public school funding rights to private religious schools"—which will undermine this ability—"could result in a significant increase in the number and kind of private schools.... This would have an adverse effect on the viability of the public school system, which would become the system serving students not found admissible by any other system."

It goes on in page after page, warning us not to proceed with this. It's not surprising that the Fraser Institute, when they made their presentation, said this is the most major development in education in the last 100 years.

### *Interjection.*

**Mr Phillips:** Mr Hastings is cheering. I understand why he's cheering.

This will decimate public education. As a matter of fact, they went on to say that enrolment will go down by between 15% and 30%. That is the evidence they presented.

I say to the public of Ontario, you wonder why there is concern by many about this program. You need only to get Premier Harris's own brief, and I urge you to read it. You need only to listen to the Fraser Institute or the National Citizens' Coalition. The National Citizens' Coalition said, "Send in money. We've got to make sure Mike Harris gets this done because it is the most major development going on in education in North America today."

I say to the public of Ontario, when we're talking about stability and excellence in public education, recognize that within a matter of days the government is going to ram through a bill that will do more to destabilize public education than anything that has been done, according to the Fraser Institute, in the last 100 years.

This is not the opposition talking; this is Mike Harris, two years ago. Mike Harris said two years ago that this would cost between \$500 million and \$700 million. As a matter of fact, the government has refused to give us any detailed look at how they arrived at it. They say it's going to be \$300 million, but that \$300-million estimate assumes there is no change in the enrolment in private schools. They've been going up at 5% a year, but they're saying, "No, that will stay the same for the next five to 10 years."

There is no doubt that we are going to forgo revenue in Ontario, at least \$500 million, and I challenge any of the government members to refute the information that was put before our committee showing that spending on elementary and secondary schools this fiscal year is going to be \$75 million less than was spent on elementary and secondary schools last year. That's a fact that I challenge any of you to refute.

Again, that's not the Liberal Party document; this is the research done for our committee. It points out that if you look back six years ago, per pupil spending essentially is the same today as it was six years ago.

I might point out that the way the government now accounts for building schools—we used to provide what's called capital money. We no longer do that. We tell school boards, "You go borrow the money. You put it on your books, we don't want it on our provincial books"—and by the way, school boards are borrowing about \$900 million a year, putting it on their own books, off the province's books—"and we'll simply give you, in our operating grants, money to pay the principal and interest on this."

1720

There's \$500 million in the operating money now just to pay the principal and interest on the loans to build schools. The government says, "Look, we're increasing spending on elementary and secondary." Not true. I challenge any government member to refute any of those

numbers: \$75 million less on education this year than last year.

As I say, the title of this bill is about stabilization in our system. I go back to the most destabilizing move, which is the voucher system. By the way, the Fraser Institute said this thing by Mike Harris is better than a voucher. They originally said it's the same as a voucher, but the institute fired us off a handwritten note saying, "We're wrong. We said it's just like a voucher, but we're now telling you it's better than a voucher." I understand why the Fraser Institute loves it. I understand why the National Citizens' Coalition loves it. But I say to the people of Ontario, look at what Mike Harris said two years ago. That is the time when he and his Minister of Education prepared a detailed brief arguing strenuously against this.

What do we now find, for some out-of-the-blue reason? I guess the National Citizens' Coalition and the Fraser Institute have a lot of influence with this government. But as one of the major newspapers said, this is a flip-flop. Mike Harris has flip-flopped. This is not the Liberal Party saying this; it's a major newspaper saying it's a flip-flop of major proportions. Rather than all of the concerns being recognized by Mike Harris—he has flip-flopped—he's now going to extend funding and it's going to be \$500 million or \$600 million of forgone revenue in the province of Ontario. We are spending \$75 million less on elementary and secondary schools this year than we did last year.

I might also add that we're the only jurisdiction in North America that has actually cut spending for universities and colleges. Everybody else knows you've got to invest there. Texas and Louisiana and Alabama are all increasing spending on post-secondary education. The province of Ontario has cut it. Our competitors, everybody, all the other provinces, have increased spending on colleges and universities. We're the only jurisdiction that says, "Listen, the way to economic success is we're going to have corporate taxes 25% lower, but you're going to have an education system that has the guts cut out of it." That is not how I think most people look at building their economies. I watch those economies that are investing for the long term.

I say you are completely destabilizing the system with the voucher program and you are frankly not correct. Education spending is down \$75 million, so it's a misnomer.

**The Acting Speaker:** It is now time for questions and comments.

**Mr Marchese:** I was listening to the member for Scarborough-Agincourt attentively, of course. I was about to agree with everything he said until he mentioned flip-flop and then I said, "Oh my God, now it implicates me a little bit." I wanted to agree with him that it is true that Harris and M<sup>me</sup> Ecker have flip-flopped on this. I agree with him, but I've got to agree that on the other hand the Liberals haven't been entirely pristine on this issue. Gerard Kennedy, their education critic, said that he thinks fairness for religious schools is OK, but not now, maybe later when they get elected, "But right now, we

can't do it." Gerry, I like you a lot, but I don't know. On the flip-flop stuff, I would just be very careful.

With respect, however—and this is where I do agree with him—to what the Fraser Institute said, I just wanted to add some additional flavour to that discussion. Claudia Hepburn came in front of the committee representing the Fraser Institute—this is very true—and she said—

*Interjections.*

**The Acting Speaker:** Order. The government benches, please come to order.

**Mr Marchese:** —that this tax credit functions like a voucher. That's what she said. When I stated that in committee she was watching television, on June 20. That very same day she faxed us a letter, because she was watching what I was saying; I couldn't believe it. She's a very delightful young woman. She wrote back immediately, and one of your members brought it out, and she said, "It's not a voucher; it's better than a voucher." It's true. I couldn't believe it. It wasn't enough for her to say it functions like one. She had to write after listening to me and she said, "It's even better." This is the Fraser Institute, not friends of mine, but your friends with whom you collaborate very closely.

**The Acting Speaker:** Further questions and comments? The Chair recognizes the member for—standing up and then pointing to someone else is not helpful. Since you sat down, I will recognize the Minister of Natural Resources.

**Hon John Snobelen (Minister of Natural Resources):** Mr Speaker, I thank you for recognizing me and I appreciate the opportunity to join the debate, albeit in the absence of my colleague. I want to say that this is not the first time education matters have been debated in this place and probably won't be the last, and sometimes those comments become partisan.

The member for Scarborough-Agincourt won't be surprised that I would take exception to and in fact find some error in his presentation of the facts and figures around the funding of education. That's not a new story; it's an old story. But I want to spend a moment on the comments of the member for York South-Weston, because he spoke about the importance of excellence in education. I think every member in this chamber would agree with that. He also said that the key to that excellence in education was teachers. No member of this chamber would disagree with that. But it's not the comments that matter; it's what you're willing to do about it.

The bill refers to the Ontario College of Teachers Act, 1996. The Chair will remember that a previous education minister, Dave Cooke, brought that forward under a previous administration; however, it was realized by this government. The Ontario College of Teachers is a recognition of the teachers as a profession and as a professional body for the first time in this province, and this act builds on that profession. It builds excellence in education through excellent teaching.

In this limited time, there have also been references made to the Minister of Education. I just want to say for

the record that the Minister of Education, Janet Ecker, is one of the people most concerned in this province about excellence in teachers and is one of the people most profoundly committed to excellent teaching and excellent education in this province. I'm proud she serves this province as Minister of Education.

**Mr Colle:** I would like to say that I thought the former Minister of Education, the member for Mississauga West, was going to give his infamous "Let's create a crisis" speech here in the Legislature that he has tried to keep secret from us all. I would like him to give that. I challenge Minister Snobelen to give that speech that he says we wouldn't understand. We sure understand that speech, because that speech is what touched off this crisis in education, where he bragged about tearing public education apart. He said he was going to do it and he certainly has done it. We as Ontarians are paying the price for his reckless behaviour and the reckless behaviour of this government.

What it comes down to is, if I look in my own riding at the parents, the students and the teachers, their co-operative volunteerism before, during and after school has made some of our public schools some of the best in North America. I look, in my own riding, at schools like Marshall McLuhan high school, Lawrence Park, John Ross Robertson, John Wanless, Blessed Sacrament, Yorkdale Adult Learning Centre, and Ledbury school. These are excellent institutions that didn't come about as a result of government. They came about because of a community coming together, because they realized a community is a village, is a school, and is children and parents and families.

The former Minister of Education doesn't understand that. They look at education as basically something to toy with, tinker with and manipulate for their political agenda. That's why they wanted to create this crisis. That's why they did, because they don't respect the parents and the community volunteerism that made some of these schools some of the best in North America. I think they will survive this onslaught, because they're stronger than the likes of what we see on the other side of the House.

1730

**Mr Kormos:** First, I want to acknowledge the incredible leadership of our member from Trinity-Spadina on these education issues, back in the House again, speaking on those two-minute comments and questions to the comments by Mr Phillips.

The fact is that, yes, New Democrats side with educational workers, no two ways about it: whether they're OSSTF, whether they're OECTA, whether they're CUPE, whether they're teachers, whether they're teaching assistants, whether they're ETFO, whether they're the custodial staff, the secretarial staff, we're with those people. Because being with those people means that we're for quality public education, because I tell you that those educational workers, regardless of what role they play in that educational family in any given school across numerous communities, literally thousands of schools

here in the province of Ontario, those are the people who are committed to quality public education. Those are the people who have been under some very direct attack by this government.

The defunding of the public school system, the on-going defunding of the public school system, clearly was part of the crisis creation philosophy and agenda of this government's first Minister of Education, no two ways about it. It's been achieved: librarians dismissed, libraries accessible by kids only half a week instead of a full week, sometimes less than that, sometimes totally shut down. Library? There is no library any more. Computer rooms: again, rather than the broad access that young people should have to those computer rooms to do their research and their homework, minimal access, in some schools no access, never mind replacing obsolete and inoperative computers and other equipment of the like.

Our schools are seriously defunded. That's what's causing any instability. It's not the teachers, it's not the support workers, it's certainly not the parents and it's certainly not the kids; it's this government that's causing the problem.

**The Acting Speaker:** The member for Scarborough-Agincourt now has up to two minutes to respond.

**Mr Phillips:** I wish I had the time to respond to each of the comments, but I'll just start with the Minister of Natural Resources who mentioned the Minister of Education.

Again, I go back to the thing that I think will destabilize our education system more than anything else: this voucher program, this public funding for private schools.

I want to quote from Minister Ecker's letter. Again, she and Mr Flaherty sponsored this brief, and then she sent a strongly worded letter off to the federal government, saying:

"I wish to inform you that our position on this matter remains unchanged. The government of Ontario is not prepared to adopt the alternatives suggested by the UNHRC"—the United Nations—"for complying with the decision, namely ... to provide direct funding to private religious schools...."

"We believe that our commitment and resources must continue to focus on preserving and improving the quality of our publicly funded system. While the government recognizes the right of parents to choose alternative forms of education...." it has "no plans to provide funding to private religious schools.... As was set out in the submission"—this is the submission—"extending funding to religious private schools would result in fragmentation of the education system in Ontario and undermine the goal of universal access to education."

If you want to talk about stability, that's what Minister Ecker said, and then she has the strongly worded final paragraph:

"We trust that the government of Ontario's position, as outlined in this letter, is clear, and that you will proceed to draft Canada's response ... in keeping with this position. I was somewhat surprised to read the com-

ments attributed to you in the Toronto Sun today, given the position presented to the UNHRC and the fact I have not yet received any communication.... If you have any concerns with respect to Ontario's position, I would appreciate it if you contact me directly."

So Minister Ecker was categorical. She was strong as could be. In fact, she was angry at the federal government for even the thought that they may support funding. Ms Ecker is on the record, strongly opposed to this move, and I agreed with her then—

**The Acting Speaker:** Further debate?

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** I will be sharing my time with the member from Durham. Certainly I'll be taking advantage of as much time as possible, but since he needs some time—he wants to get on the record pretty well every day, for some strange reason—I'll be courteous to him.

I also want to join with my friend and colleague from Simcoe North who earlier on talked about an item that we discussed this morning, a private member's public bill.

*Interjections.*

**The Acting Speaker:** Take your seat, please. It's bad enough that the government benches heckled the opposition, but now you're heckling your own member. I would ask the government benches to please keep the noise down. I'm having difficulty hearing the speaker. I'm sorry to interrupt. Please continue.

**Mr Gill:** Thank you, Mr Speaker. I do appreciate that because, as you know, it does get a little distracting sometimes.

I want to join my colleague from Simcoe North in also recognizing that this morning Mr Lalonde brought forward a bill, An Act to recognize the emblem of the Ontario French-speaking community, and he distributed these emblems. He was very surprised when I showed him my lapel pin, which is actually recognizing the same thing, which one of my assistants gave me, Jay Brown. We are very, very proud to wear that.

At the same time, as you know, the community is becoming very diverse. The community in which I live, Peel region, has become so diverse that Punjabi, which is my mother tongue, has become the second-most-spoken language. I'm very, very happy to congratulate Peel region for that.

*Applause.*

**Mr Gill:** Thank you.

As you know, in Bill 80, which we are discussing this afternoon, An Act to promote a stable learning environment and support teacher excellence, there has been quite a bit of discussion on teacher testing, so I'll be touching on that. At the same time, I do want to mention that in my community there is a school called Khalsa School, and it is basically a religious school teaching Sikh beliefs, as well as teaching primary and secondary school. One of the teachers there, Mr Dhaliwal, used to teach math to me when I was in grade 7. He's a very, very respectable teacher. He's doing an excellent job with that school. Another teacher, who used to be what

we used to call a headmaster, like a principal, is now teaching in Khalsa School in Abbotsford, BC, and doing a super job there. We'll be touching on some of that as well because these tax credits that we talk about—and the opposition keeps saying how awful they are, but I will touch upon how beneficial they are. I will certainly refer to—in fact, I should do that right now, because the members opposite talked about the Fraser Institute.

I'll take the liberty to read a paragraph from today's National Post. It says, "Ontario's proposed tax credit for private schooling has the potential to turn a 'vicious circle'—where there is poor academic achievement and education is so centralized parents and teachers have little power to improve their schools—into a virtuous one by giving parents choice, says a book published today by the Fraser Institute." There you are.

Coming back to the teacher testing. I'm looking at the clock. I hope that's incorrect, because I thought I had 15 minutes, but maybe it's a faster clock today.

**The Acting Speaker:** No, I would just point out to the member that we're down to 10-minute speeches after 5:30.

**Mr Gill:** OK, Mr Speaker, thank you for pointing that out. I will still try to save some time for the esteemed member from Durham, Mr John O'Toole.

On the subject of teacher testing, very few people will disagree that doctors, lawyers, architects and other trusted professionals should have to stay up to date in their skills and knowledge to continue to provide high quality service. Doctors certainly, I know from personal experience, ever-increasingly and on an ongoing basis, are doing what they call continuing medical education. Some of them attend the University of Toronto. They take their own personal time on a Saturday; this is a program called "Saturdays at the University," where they'll spend the whole day, which I think costs them—if you include their time and if lawyers include their time—about \$1,000 a day, if you include all the different times that they spend, that they are not able to see the patients.

1740

In Ontario, professional associations and self-regulatory professions approach professional development and upgrading in a variety of ways. Some have provisions in place which set specific requirements for the renewal or maintenance of a professional certificate. Generally these requirements must be met over a certain period of time, often three to five years. For some professions, failure to meet ongoing learning requirements could mean losing the right to use the professional designation.

Just as an example, the Ontario Association of Architects has a mandatory continuing education requirement for all licensed members. Over a period of two years, members must complete a minimum of 15 points, half of which must be taken from core professional options and the other half from self-directed options.

The Royal College of Dental Surgeons of Ontario also requires its members to complete a mandatory program of professional development over a specified period of time. The Law Society of Upper Canada, as you would

be familiar with, Mr Speaker, requires its members to provide information on their continuing legal education activities. The Ontario Institute of Agrologists requires its members to complete a minimum of 60 hours of professional development over five years.

I don't want to take all the time; I do want to share some time with my esteemed member. I just want to emphasize that teacher testing, as with other professions, is a required—parents have asked us and they want to make sure there's excellence in teachers. I have certainly enjoyed during my school career excellent teachers, and we have many of them in Ontario.

**Mr John O'Toole (Durham):** I thank the member for Bramalea-Gore-Malton-Springdale for giving me some of his time.

I just want to put on the record, in response to the member from Scarborough-Agincourt—and these are the ambiguous disclosures by the opposition. The first one was Michael Bryant's quote from the Toronto Star on May 12, 2001, with respect to the education tax credit: "I can't suck and blow on this" tax credit. "I've got to support this. It's a step in the right direction of equity. So I support that."

Mr McGuinty, the leader, and the member from Scarborough-Agincourt tried to distance themselves from supporting it. In fact, I believe they were rather obsequious in the way they handled the vote. He said, "I had taken the position that I was not ideologically opposed to funding religious schools." This is from a memo from Dalton McGuinty, the leader, dated June 5 to Mr Bert Witvoet. He gave that to me, very surprised at Mr McGuinty saying one thing in some sessions—and the other session.

Mr Jim Bradley in a memo of May 6, 2000, to Bert Witvoet, who's chair of the Association for Christian Education in St Catharines, his riding, says, "Calvin Memorial Christian School has made a significant contribution to the educational community in St Catharines and surrounding area and, I am confident, will continue to do so for many years to come."

It's clear that in one forum they say one thing and in another forum—but that's typical of and true to Liberal policy. I often call their policy bag a pinata. You stick a needle in it and little trinkets fall out at any given moment.

But on the matter of funding, and it is a complex issue and equation, these are publicly accountable numbers, through the ministry and through the disclosures under finance: "Projected 2001-02 revenue in education is over \$13.8 billion, a \$976-million increase or a 7.6% increase in revenue relative to the 1995 spending level." Enrolment increases in the same time were 4.2% by this graph. I'd be pleased to send this and other numbers to anyone.

Where the money's going becomes the question. Somewhere there's a black hole. I believe we have to sort it out so students and teachers in the classroom get the money.

I would like to just say that in the debate on education funding I'm supportive of the public education system. It's the right way to go.

**The Acting Speaker:** It is now time for questions and comments.

**Mr Colle:** I just want to get back to the success we've had in some of our schools. One of the things this government has really put in jeopardy is the partnerships that exist in communities—they're in small towns and in small neighbourhoods—where parents, teachers and students get together to make that school a success. They go to school and get involved in the drama programs, the field trips. They give of themselves because they know a strong school means good citizens and strong neighbourhoods.

This government has put that in jeopardy, because it is more interested in centralized control where they never look at a school's or a neighbourhood's needs; they always look at this formula which benefits the bureaucrats at Queen's Park. That's why they've centralized total control of education here at Queen's Park.

What do the mandarins here at Queen's Park or the mandarins in the Premier's office know about neighbourhood schools? They never go to the schools. They've never volunteered in the schools. They are the ones who were never there on the soccer pitches. They weren't there in the drama club. They're not there volunteering in the cafeteria. That's who is making the decisions about our public schools and our children, and that is why they don't get it right. They've never partaken in that kind of community-building. All they've basically done is look upon this as an exercise in political gamesmanship, and the students and parents and communities are suffering like they never have before, because they're callous and reckless and not appreciative of the contributions these communities make to their schools, which are more than buildings. It's not only teachers; it's the caretakers, support staff, the lunchtime supervisors—they all come together. They're pulling it all apart.

**Mr Kormos:** I'm going to get a chance to talk for but 10 minutes in around two-minutes' time.

An interesting comment about other professions who go to their weekend upgrading—I have a little bit of familiarity with what the member is talking about. Yes, lawyers go to weekend seminars and have to report in their annual report at the end of the year the number they went to, the number of hours they spent. Many lawyers go. Many lawyers go to very intensive ones. Some lawyers go to more casual ones. Some lawyers don't go at all. You know that, don't you?

But the reality when you're talking about teachers is that the teachers I know are spending summer after summer—down where I live, we've got Niagara University over on the New York state side. They're over there taking master of education degrees. We've got a bachelor of education at the education faculty at Brock, but they're paying big bucks to upgrade themselves on a weekly basis at Niagara University, which has a strong education faculty, or at Brock. They're doing that. They're doing precisely that. They have their professional development days. The teachers I know are spending an incredible amount of their own money and energy constantly upgrading. They're constantly reading journals and essays

and works by educators and leaders in the educational field about how to improve their skills and practices. You see, that's what the relationship is between a principal and a vice-principal and the teaching staff in that school, and that's the important role of mentoring.

But this government has forced senior teachers out of the school system. Senior teachers have simply had it up to here. They can't do it any more. They can't take it any more. They're not going to work under the incredible conditions this government has created. So young teachers in our public schools no longer have the mentors. It was those mentors, those senior teachers, who played an integral role in upgrading. Teachers have been doing that. They don't have to be forced to do it by this or any other bill.

**Ms Mushinski:** I'm pleased to join in making some comments based on what my honourable colleague from Bramalea-Gore-Malton-Springdale has said, along with my colleague to my left, Mr O'Toole, the member for Durham.

I think there's no question that my esteemed colleague Mr Gill hit the nail on the head when he said this is a bill about promoting a stable learning environment and about supporting teacher excellence.

1750

I hear all of this rhetoric from the other side about how teacher testing somehow is a slap against teachers and it's not what the school community wants. They must live in a different world from the world I live in, because this was a key issue when I went knocking on doors during the elections in 1995 and 1999.

People want excellence in schools, and certainly we're doing what we said we would do, that is, promoting excellence, promoting stability, and giving parents choice at the same time. My colleague from Bramalea also alluded to the fact that the Fraser Institute, which was raised by my esteemed colleague from Scarborough-Agincourt, somehow has alluded to this being a voucher. It's not a voucher system. It's about giving parents choice.

**Mr Bob Wood (London West):** I'd like to touch very briefly on two items that were discussed by the speakers. One is the question of teacher testing. I hope what will eventually come forward on this issue is a system whereby we can look at the educational achievement of the children in a class at the start of each school year, take a look at what their level of achievement is at the end, and be able to identify what's been accomplished and what the shortcomings seem to be. That, to me, is the kind of teacher testing that is going to be most effective in assisting teachers to be recognized for what they are doing.

I think, as we do that kind of testing, we're going to find that the overwhelming majority are doing a very good job or an excellent job of teaching our students and

helping them achieve what they want to achieve. It will also help us to identify people who need help and schools that need help. As we do that in the area of teacher testing, I think we're going to be pleased by the results.

We've also heard some reference in the various speeches to the tax credits being proposed and the effect they might have on the education system. I would invite members who have concerns about this not to speculate but to look at what's happened in other jurisdictions. Alberta gives aid roughly on the scale that we in Ontario propose to give tax recognition to independent schools. I would invite any member to say to this House or to the people of Ontario that the public education sector in Alberta is not strong, vibrant and accomplishing a lot. I also invite those members to take a look at the experience of the country of Denmark, which has a strong independent school tradition. Take a look at their public system, which I think is also strong, vibrant and highly effective.

**The Acting Speaker:** One of the original speakers has up to two minutes to respond.

**Mr Gill:** I appreciate all the members taking part in this debate, from Durham, Eglinton-Lawrence, my colleague from Scarborough Centre, Niagara Centre and London West.

They talked about different aspects of the bill, one of them being the involvement of parent councils. Mr Speaker, as you would recall some of the debates we've had in this House, we have actually given parent councils a lot of new responsibilities and new rights, for example, uniforms in schools. They can, if they so decide—and in fact in some of the newspaper articles you would have read within the last 10 days, some schools are adopting uniforms. Having travelled in many places in the world, uniforms are quite a standard practice in most of the world. Children take pride in their school, and if some children are doing some mischievous things—and all children are mischievous—they are identified easily. You can go to the principal and say, "Mr Principal or Ms Principal, it seems like students from your school were loitering, were in the plaza," whatever. So it is a good thing and they do take pride in wearing their school uniform. For some strange reason, because of that and because of the pride they take in attending that school, it seems their marks tend to go up. I've seen that. I can't really put a handle on what makes that happen. Certainly Catholic schools are an example of that. I encourage that. So there you are. The parent councils have a responsibility to do that, if they like.

**The Acting Speaker:** It now being close to 6 of the clock, this House stands adjourned until 1:30 pm Monday next.

*The House adjourned at 1756.*

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**Regulations and private bills /  
Règlements et des projets de loi d'internet privé**

Chair / Présidente: Frances Lankin  
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Ted McMeekin, Bill Murdoch, Wayne Wettlaufer  
Clerk / Greffier: Douglas Arnott

**OTHER BUSINESS**

**Special report, Environmental Commissioner of Ontario**  
The Speaker ..... 1772

**Annual report, Office of the Ombudsman**  
The Speaker ..... 1772

**Speaker's ruling**  
The Speaker ..... 1772

**Visitors**  
Mrs Pupatello..... 1778  
Mr O'Toole..... 1778  
Mr Miller ..... 1786

**Unanimous consent**  
Mr Duncan..... 1778  
Mr Lalonde ..... 1778

**Business of the House**  
Mrs Ecker ..... 1789

**Contempt of Parliament**  
Mr Duncan..... 1789  
The Speaker ..... 1790  
Mr Snobelen ..... 1790

**TABLE DES MATIÈRES**

**Jeudi 21 juin 2001**

**AFFAIRES D'INTÉRÊT PUBLIC ÉMANANT DES DÉPUTÉS**

**Loi de 2001 sur l'emblème franco-ontarien**, projet de loi 18,  
*M. Lalonde*  
M. Lalonde..... 1753, 1761  
M. Bryant ..... 1755  
M<sup>me</sup> Boyer ..... 1755  
M. DeFaria ..... 1756  
M. Baird ..... 1757  
M<sup>me</sup> Pupatello..... 1758  
M. Bisson..... 1758  
Adoptée ..... 1769

**Loi de 2001 modifiant la Loi sur les appareils agricoles**,  
projet de loi 76, *M. Barrett*  
Adoptée ..... 1769

**DÉCLARATIONS DES DÉPUTÉS**

**Services en français**  
M. Bisson..... 1771

**PREMIÈRE LECTURE**

**Loi de 2001 sur la délivrance des enfants de l'exploitation sexuelle**,  
projet de loi 86, *M. Young*  
Adoptée ..... 1774

**DEUXIÈME LECTURE**

**Loi de 2001 portant réforme de la rétribution des députés (processus sans lien de dépendance)**, projet  
de loi 82, *M. Tsubouchi*  
Adoptée ..... 1777

**Loi de 2001 sur la stabilité et l'excellence en éducation**,  
projet de loi 80, *M<sup>me</sup> Ecker*  
Débat présumé ajourné..... 1808

**TROISIÈME LECTURE**

**Loi de 2001 sur l'emblème franco-ontarien**, projet de loi 18,  
*M. Lalonde*  
Adoptée ..... 1799

**AUTRES TRAVAUX**

**Consentement unanime**  
M. Duncan..... 1778  
M. Lalonde ..... 1778

# CONTENTS

Thursday 21 June 2001

## PRIVATE MEMBERS' PUBLIC BUSINESS

<b>Franco-Ontarian Emblem Act, 2001.</b>	
Bill 18, <i>Mr Lalonde</i>	
Mr Lalonde	1753, 1761
Mr Bryant	1755
Mrs Boyer	1756
Mr DeFaria	1756
Mr Bartolucci	1757
Mrs Papatello	1758
Mr Bisson	1758
Agreed to	1769
<b>Farm Implements Amendment Act, 2001, Bill 76, <i>Mr Barrett</i></b>	
Mr Barrett	1761, 1769
Mr Peters	1762
Mr Bisson	1764
Mr Galt	1767
Mr Tascona	1768
Mr Hastings	1768
Agreed to	1769

## MEMBERS' STATEMENTS

<b>Home care</b>	
Mr Kwinter	1770
<b>Proctor House Museum</b>	
Mr Galt	1770
<b>Skills training</b>	
Mr Ruprecht	1770
<b>Durham Rowing Club</b>	
Mr O'Toole	1770
<b>Community care access centres</b>	
Mrs Papatello	1771
<b>Health care</b>	
Mr Stewart	1771
<b>National Aboriginal Day</b>	
Mr Phillips	1772
<b>Fiesta Week</b>	
Mr Ouellette	1772

## REPORTS BY COMMITTEES

<b>Standing committee on general government</b>	
Mr Gilchrist	1773
Report adopted	1773
<b>Standing committee on finance and economic affairs</b>	
Mr Beaubien	1773
Report adopted	1774

## FIRST READINGS

<b>Rescuing Children from Sexual Exploitation Act, 2001, Bill 86.</b>	
<i>Mr Young</i>	
Agreed to	1774
<b>23<sup>rd</sup> 661 Builders Limited Act, 2001.</b>	
Bill Pr10, <i>Mr Bartolucci</i>	
Mr Bartolucci	1774

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>Sexual exploitation of children</b>	
Mr Young	1774, 1777
Mr Bartolucci	1775
Mr Kormos	1776
Mr Duncan	1777

## ORAL QUESTIONS

<b>Ministry of Natural Resources</b>	
Mr McGuinty	1779
Mr Snobelen	1779, 1781
Mr Hampton	1781
<b>Red Tape Commission</b>	
Mr Conway	1780
Mr Runciman	1780
<b>Competitive electricity market</b>	
Mr Hampton	1781
Mr Flaherty	1781
<b>Home care</b>	
Mr McGuinty	1782
Mr Clement	1782, 1785, 1788
Mr Kormos	1784
Mr Cordiano	1788
<b>Smart growth</b>	
Mr O'Toole	1783
Mr Hodgson	1783
<b>Gynecological oncologists</b>	
Mrs Papatello	1783
Mr Clement	1783
<b>Safety of correctional officers</b>	
Ms Mushinski	1784
Mr Sampson	1784
<b>Family Responsibility Office</b>	
Mrs Bountrogianni	1785
Mr Baird	1785
<b>Oshawa courthouse</b>	
Mr Ouellette	1786
Mr Young	1786

<b>Contaminated property</b>	
Mr Kennedy	1786
Mr Tsubouchi	1786
<b>Ontario-New York economic summit</b>	
Mr Maves	1787
Mr Runciman	1787
<b>Ontarians with disabilities legislation</b>	
Mr Martin	1787
Mr Jackson	1787
<b>Centre for Forensic Science</b>	
Mr Stewart	1788
Mr Turnbull	1788

## PETITIONS

<b>Home care</b>	
Mr Bradley	1790
<b>Education tax credit</b>	
Mr Marchese	1791
Mr Bradley	1791
<b>Lord's prayer</b>	
Mr Ouellette	1791

## SECOND READINGS

<b>MPP Compensation Reform Act (Arm's Length Process), 2001, Bill 82, <i>Mr Tsubouchi</i></b>	
Agreed to	1777
<b>Stability and Excellence in Education Act, 2001, Bill 80, <i>Mrs Ecker</i></b>	
Mr Marchese	1792, 1796, 1803
Mr Sampson	1795
Mr Agostino	1795
Mr Kormos	1795, 1799, 1804, 1807
Mr Stockwell	1796
Mr Galt	1796, 1800
Mr Colle	1799, 1804, 1806
Mr Dunlop	1800
Mr Phillips	1800, 1802, 1804
Mr Cordiano	1800
Mr Snobelen	1803
Mr Gill	1805, 1807
Mr O'Toole	1806
Ms Mushinski	1807
Mr Wood	1807
Debate deemed adjourned	1808

## THIRD READINGS

<b>Franco-Ontarian Emblem Act, 2001.</b>	
Bill 18, <i>Mr Lalonde</i>	
Agreed to	1779

Continued on next page



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**Legislative Assembly  
of Ontario**

Second Session, 37<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Deuxième session, 37<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 25 June 2001**

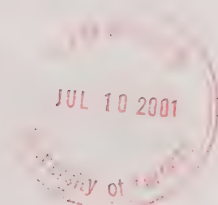
**Lundi 25 juin 2001**

**Speaker**  
Honourable Gary Carr

**Clerk**  
Claude L. DesRosiers

**Président**  
L'honorable Gary Carr

**Greffier**  
Claude L. DesRosiers



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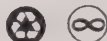
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 25 June 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 25 juin 2001

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### SENIOR CITIZENS

**Mr Michael Bryant (St Paul's):** The constituents of St Paul's have expressed to me their outrage with the wrongs done to them by the Harris government. Whether it be home care service, drug coverage or just being treated with dignity and respect, Ontario's seniors deserve better.

One constituent writes me of his 94-year-old aunt who is seeing her three hours of home care a week being reduced to effectively nothing. He writes, "It is not moral to treat our elderly this way, certainly not when we receive \$200 cheques from the government and hear talk of more tax cuts. 'Yours to discover' indeed," he writes.

Another senior writes to express outrage over the statements by the Premier with respect to seniors being grateful to be living in the province of Ontario. She writes, "I'm extremely revolted at [Mike Harris's] attitude. It is unbelievable that the man could be so lacking not only in common sense but compassion and human understanding ... " Seniors, "the very people who built this city, who are responsible for paying taxes to develop everything that's in the city, now need help" and Mike Harris is "going to cut them off," the constituent writes.

Another senior writes demanding a public apology from the Premier, and has written the Premier demanding that apology for his statements with respect to seniors.

We all know that the Harris government did not campaign in 1995 or 1999 on restricting seniors' access to the drug plan. We all know here that it's going to end up costing more money at the end of the day if we put people off drug therapies and put people in hospitals quicker and sicker.

I'll tell you, the seniors of this province are not going to forget what this government did to them, and I intend to ensure that this government is held to account for the shabby treatment of seniors in this province.

#### CANADA DAY FESTIVITIES IN DURHAM

**Mr John O'Toole (Durham):** I'd like to invite the people of Ontario to take part in one or more of Canada

Day festivities taking place in my riding this Sunday in Durham.

In Orono village, festivities will begin following the traditional cake-cutting ceremony in Orono Park. In addition to the usual fun and games, the Clarington Concert Band will be performing for a very large crowd, while over in Bowmanville, children and adults alike will be enjoying a celebration at the Bowmanville Museum. In Port Perry there are many entertaining activities planned for the day, and in the evening in beautiful Palmer Park along the shores of Lake Scugog, following ceremonies by several musical acts in the park and bandshell, there will be the traditional fireworks display at the end of the evening.

One of Port Perry's residents will be presented this year with Port Perry's Citizen of the Year Award during the festivities. This year's recipient is local businesswoman and new president of the Scugog Chamber of Commerce Ms JoAnne Cerovich. Ms Cerovich has done much for the community. This is a well-deserved award during this International Year of the Volunteer.

I want to thank the many people for their volunteerism and hard work with these three events: John Fletcher, Dan Banting, Fred Haines, and of course the staff of Bowmanville Museum.

Our Canada Day is a day for celebrating with family, friends, and fun. I suggest that everyone take a few minutes this Canada Day to reflect on how fortunate we are to live in a country that is the envy of the world. To the men and women of the branches of the Royal Canadian Legion and veterans in my riding of Durham in Ontario, thank you for all that you've done in making Canada a free country that will benefit all of us today.

#### NORTHERN HEALTH TRAVEL GRANT

**Mr Michael A. Brown (Algoma-Manitoulin):** Since this Parliament assembled, I and my Liberal colleagues have been petitioning the government of Ontario to provide adequate, fair and reasonable travel grants to northern Ontario residents forced to travel for medical care. I have read petitions carrying thousands upon thousands of signatures from residents from all over Algoma-Manitoulin, from all over northern Ontario and across all of Ontario asking that this program be improved and be fair.

The travel grant program is about access. It is about ensuring that northern Ontario residents can access health services as equally as southern Ontario residents. It is

about removing a significant barrier to quality health care in northern Ontario.

The program has been grossly unfair when compared to the treatment of southern Ontario patients who have found it necessary to travel to northern Ontario. The Ombudsman of Ontario has found that the program is clearly discriminatory.

It is now way past time that the Harris government act to remove the increasingly significant distance barrier to northern Ontario working families. It is time to appropriately compensate northerners for necessary health travel. It is time for Mike Harris to recognize that northerners must receive equality.

Mr Harris, it's time.

#### PAYUKOTAYNO HEALTH SERVICES LABOUR DISPUTE

**Mr Gilles Bisson (Timmins-James Bay):** You might have heard on CBC Radio and other news outlets over the last week that there has been a strike at Payukotayno Health Services up in Moosonee, which services all the health care needs across the James Bay coast.

What's particularly notable about this strike is the reaction of the executive director or the board in regard to how they have been dealing with the employees. We found out this morning that 10 individuals who work for Payukotayno have been fired as a result of what is a labour dispute. I'm calling upon the minister responsible for social services, the Minister of Health and Minister of Labour to investigate, because from what I'm being told from within the community the issue is not money but actually a conflict that exists between the employees and the executive director. If this is the case, I'm asking for the ministers to intervene to clear the atmosphere at Payukotayno so that we can get back to what is important, and that is providing services for the Mushkegowuk people of Timmins-James Bay.

I say again, I ask both the minister responsible for social services and the Minister of Labour, as well as the Minister of Health, to investigate and to see if indeed the assertions that are being made to me are the fact, that the executive director has somehow gone out of control up in Moose Factory.

#### GREAT LAKES HERITAGE COAST

**Mr Ted Chudleigh (Halton):** I rise today to speak about the Great Lakes heritage coast initiative at the Ministry of Natural Resources, a project I was proud to lead while I was parliamentary assistant there.

An extensive public consultation process was launched in January 2000 in communities located along the heritage coast, from Thunder Bay to Port Severn on Georgian Bay. I was thoroughly impressed with what I heard. In addition to sustaining the area's scenic natural values and cultural heritage, people recommended exploring economic opportunities in innovative ways to promote the Great Lakes heritage coast as an inter-

national tourist destination while protecting its ecological values. The love local residents share for the uniqueness and beauty of this area is really extraordinary.

A discussion paper on the findings was launched in August 2000, and I understand a further announcement will be taking place in the near future. My recommendations for the future of the Great Lakes heritage coast will be unveiled at that time.

I would like to take this opportunity to personally thank local governments, First Nations, community organizations and residents of this magnificent part of Ontario for their insight, time and hospitality during the consultative process. The Premier's vision of Ontario's Living Legacy is being realized through this project. We are protecting and promoting a beautiful part of Ontario for future generations.

My special thanks go to the Minister of Natural Resources for giving me the opportunity to lead the project under his guidance. The benefits of Ontario's Living Legacy will be realized for all Ontarians.

#### ONTARIANS WITH DISABILITIES LEGISLATION

**Mr Ernie Parsons (Prince Edward-Hastings):** My statement today is to the Minister of Citizenship, Culture and Recreation.

Minister, you may not be aware, but in 1995 Mike Harris committed to passing an Ontarians with Disabilities Act in his first term. I am therefore appalled when I read your business plan for 2001-02 to find what is not stated in your plan about providing this bill to protect the rights of those with disabilities. This indeed has been a promise made and a promise broken by this government. The government in fact has refused to support my private member's resolution that would simply require the Premier to meet with Ontarians with disabilities. In this business plan, there are very vague references to removing the barriers to those with disabilities. This government is erecting more barriers, and erecting them faster than they are removing them. There is absolutely nothing in here with a fine timeline commitment.

Appallingly, the one concrete proposal made by your ministry is to implement a Web page. For Ontarians with disabilities receiving \$930 a month it is ludicrous to think they can afford the Internet time or indeed afford to purchase a computer for it. They require something concrete. There is no commitment in this plan whatsoever, and it is a disgrace and a betrayal of one and a half million Ontario citizens.

Minister, I urge you to keep the Premier's promise and implement a meaningful act now.

1340

#### LANDFILL

**Mrs Tina R. Molinari (Thornhill):** Last week this House saw the shameful display of the Liberal Leader of

the Opposition trying to play politics with a very serious issue. As usual, though, he still couldn't get it right.

Last summer the Minister of the Environment committed to closing the Keele Valley dump in 2002, and 12 months later the Liberal Party sees the light and tries to pretend that their bill is adequate. In fact, it might actually be worse than allowing the dump to stay open. Certainly our government's standing commitment is far better than the status quo and better than Mr McGuinty's passing fancy.

My constituents and the people of Vaughan-King-Aurora have made it perfectly clear to both the late Al Palladini and me that they wanted the dump closed.

The Liberal Party took 16 years to take a position on the Keele Valley dump. Last October, the Liberal position was to not extend the Keele Valley dump. Now, in the middle of a by-election, they change their position. Our position was, and remains, clear: to close the Keele Valley dump by 2002.

Mr McGuinty's bill, clearly written by the Liberal Vaughan-King-Aurora by-election campaign staff, is worse than inadequate. As the Minister of the Environment pointed out, it doesn't allow for environmental remediation, for dealing with erosion or for new fences. This bill, like Mr McGuinty, is not up to the job.

#### NORTHERN CANCER TREATMENT

**Mr Rick Bartolucci (Sudbury):** Enough is enough. Gerry Lougheed Jr, Ontarians Seeking Equal Cancer Care, in fact all northerners, want the Mike Harris government to act, and act now.

At a news conference earlier on today, Gerry Lougheed Jr, representing all Ontarians who believe that this government is practising health care apartheid, asked for three things: (1) he wants northern cancer patients who have been discriminated against to be reimbursed for their costs to fight this dreaded disease; (2) within 15 days he wants Mike Harris to release the policy document he has in his possession with regard to the travel grant; and (3) within 30 days OSECC, Gerry Lougheed Jr and all Ontarians want the Premier or his health minister to sit down with OSECC to plan out a strategy which will work for the people of Ontario. In fact, what Gerry Lougheed Jr, Ontarians Seeking Equal Cancer Care and all Ontarians want is that this government finally right the wrong that has been found to be relevant and prevalent in Ontario.

Discrimination must stop. Health care apartheid must stop. It is time for this government to right the wrong. Enough is enough.

#### ROUGE VALLEY HEALTH SYSTEM

**Mr Steve Gilchrist (Scarborough East):** I once again rise to pay tribute to the nurses, doctors, staff and volunteers of the Rouge Valley Health System.

In 1995, when our government was first elected, our health care system was deteriorating after 10 years of

Liberal and NDP mismanagement. For our predecessors the solution was to ignore problems, shuffle resources and close 10,000 beds. The Harris government took a different path by increasing funding, providing resources for capital improvements and bringing services closer to the people who use them.

Last week I was pleased to attend the grand opening of the Transamerica Life Breast Screening and Diagnostic Centre located at the Centenary site of the Rouge Valley Health System.

The centre is an important tool in helping women of east Toronto and western Durham assure their long-term health. The early detection and treatment of breast cancer will ensure that more often than not this terrible disease will be beaten. Their goal is a 24-hour turnaround time on the testing of biopsies and an under-two-week turnaround time for the treatment.

I would like to thank Transamerica Life, who helped make the centre a reality with a very generous donation. While others believe it's fashionable to criticize private enterprise when they contribute to the community, I would like to thank them for helping bring services closer to the people of Scarborough and west Durham.

Since 1995 I have had the privilege of announcing record funding at that hospital, the expansion of cardiac care services, the addition of a level II pediatric centre and, most recently, the support for a brand new state-of-the-art MRI. The addition of the Transamerica Life Breast Screening and Diagnostic Centre is another success story for all of the nurses, doctors, staff and volunteers who work so hard to make the Rouge Valley Health System one of the finest medical facilities in the province.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: I seek unanimous consent to give second and third readings to Bill 66, An Act to amend the Wilfrid Laurier University Act, 1973.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? I'm afraid I heard some noes.

#### SPEAKER'S RULING

**The Speaker (Hon Gary Carr):** On Thursday, June 21, the member for Windsor-St Clair rose on a point of privilege concerning the report of the Environmental Commissioner, tabled on that day, entitled *Broken Promises: MNR's Failure to Safeguard Environmental Rights*. I have carefully reviewed the Environmental Commissioner's report, the member's written submission and the comments in this House by Minister of Natural Resources.

The member for Windsor-St Clair alleges that the Environmental Commissioner, as evidenced by what he had to say in his report, has been impeded and obstructed in the performance of his duties and that this alleged obstruction represents a contempt of the Legislature. The member went further in saying, "When an officer of the Legislature such as the Environmental Commissioner is

obstructed from performing his or her duty, as has been seriously alleged by that commissioner today, it is a serious breach, in our view, of our privileges as members to have access to his reports, which we, by law, must have access to."

First let me say, having read the commissioner's report, that my view is he in fact does not allege he has been obstructed in performing his duties. The Environmental Commissioner expresses a very high level of frustration with the fact that the Minister of Natural Resources had not yet "classified its instruments," a term that has a specific meaning within the Environmental Bill of Rights, but he does not at any point directly or indirectly assert that the ministry has obstructed or attempted to obstruct the performance of his functions or that the ministry has in way tried to frustrate or hinder the Environmental Commissioner from performing his statutory duty.

While the commissioner reports findings that are critical of the ministry, none of his statements contain or equate to an assertion that the ministry has obstructed the Environmental Commissioner. Indeed, in making these findings and reporting them to the Legislature, the Environmental Commissioner has specifically fulfilled his role, which the commissioner indicated himself in the report, and the member for Windsor-St Clair also noted in his submission, is to review how provincial ministries carry out the requirements of the EBR and to report to the Legislative Assembly.

Again, by my reading of all the material before me, the Environmental Commissioner simply has not made the allegation of obstruction that the member for Windsor-St Clair asserts. I therefore find that a prima facie case of contempt has not been made out.

## INTRODUCTION OF BILLS

### FOOD SAFETY AND QUALITY ACT, 2001

#### LOI DE 2001 SUR LA QUALITÉ ET LA SALUBRITÉ DES ALIMENTS

Mr Coburn moved first reading of the following bill:

Bill 87, An Act to regulate food quality and safety and to make complementary amendments and repeals to other Acts / Projet de loi 87, Loi visant à réglementer la qualité et la salubrité des aliments, à apporter des modifications complémentaires à d'autres lois et à en abroger d'autres.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The Minister of Agriculture for a short statement?

**Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs):** I'll defer until ministers' statements.

### ONTARIO COLLEGE OF ART & DESIGN ACT, 2001 LOI DE 2001 SUR L'ÉCOLE D'ART ET DE DESIGN DE L'ONTARIO

Mrs Cunningham moved first reading of the following bill:

Bill 88, An Act to revise The Ontario College of Art Act, 1968-69 / Projet de loi 88, Loi révisant la loi intitulée The Ontario College of Art Act, 1968-69.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The minister for a short statement?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** The purpose of this bill is to offer opportunities for graduates of the Ontario College of Art and Design by allowing the college to grant degrees.

The undergraduate and graduate degree has become the standard academic qualification in professional fine art and design programs. When this legislation is passed, OCAD students will receive a credential that more accurately reflects the level of education they have received. The degree programs which would be offered by the college have been assessed by an expert and independent academic panel. They have been found to meet or exceed academic standards for similar programs in Ontario and North America.

The amendments we are bringing forward today will help to bring OCAD and its students the recognition they need to succeed in a competitive world.

### RESPECT FOR VICTIMS OF CRIME ACT, 2001

#### LOI DE 2001 SUR LE RESPECT DES VICTIMES D'ACTES CRIMINELS

Mr Bryant moved first reading of the following bill:

Bill 89, An Act to provide for the respectful treatment of victims of crime / Projet de loi 89, Loi prévoyant le traitement respectueux des victimes d'actes criminels.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Michael Bryant (St Paul's):** This bill provides for mandatory, enforceable rights for victims. The crown counsel must give victims a reasonable opportunity to have admissible evidence concerning the impact of a crime presented to the court before sentencing; as well, the provision of information of victims concerning the structures and operation of the justice system, victims' services, the freedom of information and privacy act, and compensation for victims of crime in this act are to be mandatory. As long as the provision of specific information doesn't prejudice an investigation, victims must be provided with information concerning an offence, upon request, and victims have the opportunity to apply to the Office for Victims of Crime for redress of

complaints regarding treatment and adherence to victims' rights legislation.

## MOTIONS

### HOUSE SITTINGS

**Hon Janet Ecker (Minister of Education, Government House Leader):** I move that pursuant to standing order 9(c)(ii), the House shall meet from 6:45 pm to midnight on Monday, June 25, Tuesday, June 26, and Wednesday, June 27, 2001, for the purpose of considering government business.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1353 to 1358.*

**The Speaker:** Would the members kindly take their seats.

All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Baird, John R.  
Bartolucci, Rick  
Beaubien, Marcel  
Bountrogianni, Marie  
Bradley, James J.  
Bryant, Michael  
Caplan, David  
Chudleigh, Ted  
Clement, Tony  
Coburn, Brian  
Colle, Mike  
Conway, Sean G.  
Cordiano, Joseph  
Crozier, Bruce  
Cunningham, Dianne  
Curling, Alvin  
Di Cocco, Caroline  
Duncan, Dwight  
Dunlop, Garfield  
Ecker, Janet  
Elliott, Brenda  
Galt, Doug  
Gerretsen, John

Gilchrist, Steve  
Gill, Raminder  
Guzzo, Garry J.  
Hardeman, Ernie  
Hastings, John  
Hodgson, Chris  
Hoy, Pat  
Johns, Helen  
Johnson, Bert  
Kells, Morley  
Kwinter, Monte  
Levac, David  
Marland, Margaret  
Maves, Bart  
Mazzilli, Frank  
McLeod, Lyn  
McMeekin, Ted  
Molinari, Tina R.  
Munro, Julia  
Murdoch, Bill  
Mushinski, Marilyn  
Newman, Dan  
O'Toole, John

Ouellette, Jerry J.  
Parsons, Ernie  
Patten, Richard  
Peters, Steve  
Phillips, Gerry  
Pupatello, Sandra  
Runciman, Robert W.  
Sampson, Rob  
Sergio, Mario  
Smitherman, George  
Snobelen, John  
Spina, Joseph  
Sterling, Norman W.  
Stewart, R. Gary  
Stockwell, Chris  
Tascona, Joseph N.  
Tilson, David  
Tsubouchi, David H.  
Turnbull, David  
Wettlauffer, Wayne  
Witmer, Elizabeth  
Wood, Bob  
Young, David

#### Nays

Bisson, Gilles  
Hampton, Howard

Kormos, Peter

Martel, Shelley

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 69; the nays are 4.

**The Speaker:** I declare the motion carried.

**Mr James J. Bradley (St Catharines):** On a point of order, Speaker: I would like to ask for unanimous consent—I just want the government House leader to be aware of this—for the Legislature to sit the first two weeks of July.

**The Speaker:** Is there unanimous consent? I heard some noes, and I think some of them were from the table, actually. Just kidding. I did hear some noes, but they were members.

### VISITOR

**The Speaker (Hon Gary Carr):** Before we continue, I am pleased to inform the members of the Legislative Assembly that we have with us today in the Speaker's gallery His Excellency Quang Thanh Trinh, ambassador of the Socialist Republic of Vietnam to Canada. Please join in welcoming our special guest.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### FOOD SAFETY AND QUALITY LEGISLATION

**Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs):** A few moments ago I introduced for first reading the proposed food safety and quality legislation.

Development of this proposed legislation has truly been a team effort. In addition to my ministry's lead role, both the Ministry of Health and Long-Term Care and the Ministry of Natural Resources have played an integral part in its development. We are all proud of this bill that would help to ensure that the people of Ontario continue to enjoy a safe food supply based on an economically viable agri-food industry.

Early in 1999, we identified a need to modernize our food safety system and established the Ontario food safety system review. Our food was, and continues to be, safe. In fact, Ontario has an enviable food safety record. But over the years our eating habits have changed, different types of food are available and more widely distributed and there are new food hazards. Governments around the world have been taking a critical look at how both the public and private sectors can ensure the continued safety of the food supply. Our food safety system review showed us that to do this in Ontario, we need to take advantage of new science and technology and modernize our food safety systems.

Food is essential to sustain life, and while safe food is no guarantee of good health, consuming food that is unsafe will result in undesirable effects that may range from short-term discomfort to chronic health problems.

Avoiding unnecessary costs incurred as a result of food-borne illness is one way of ensuring continued

economic prosperity and enhanced public health in Ontario.

Everyone along the food system continuum has a role to play in food safety: producers, processors and even consumers. At the farm level, sustainable production practices are needed to ensure safe food. Moving along that continuum, food processors must engage in practices designed to minimize food safety risks. As the last link in the chain, consumers have an obligation to prepare, handle and serve food safely.

The proposed Food Safety and Quality Act will help Ontario achieve these goals.

The introduction of this legislation is just one part of the food safety system review. We have already established several new programs that have improved the safety of Ontario's food supply.

For example, in 1999 we took advantage of new technology and began using a computerized information system for our meat and livestock inspection areas. This state-of-the-art system has allowed for massive amounts of data from audits, lab testing and inspection reports to be more readily accessible for risk management purposes.

On the horticultural side, last year we conducted a province-wide survey of apple juice and cider producers. As a result of that survey, microbiological testing and educational programs are now in place, and standards for apple juice and cider are being developed in consultation with the industry to further ensure the safety and quality of these products.

In 1999, we established the healthy futures for Ontario agriculture program. Among other things, this successful program provides funding for the agri-food industry to enhance the safety and quality of Ontario food products. As part of healthy futures, funding and access to technical expertise are available to help our agri-food sector maintain and expand its capacity to meet domestic and export market demands with regard to food safety and quality.

We are also an active participant in the Canadian Partnership for Consumer Food Safety Education, working diligently to educate consumers about their role in food safety. The proposed Food Safety and Quality Act provides the legislative backbone for a science- and risk-based food safety system. New science and technology have provided us with effective means of proactively identifying food safety risks along the food chain. By having the ability to identify hazards quickly, appropriate measures can be applied to minimize them before they pose a risk to public health.

We can improve the safety of our food by identifying potential hazards and minimizing the risks. If passed, this legislation would allow us to use this new information to better respond to food safety threats. At the same time that we are putting in place a more effective, world-class food safety and quality system, we are also simplifying and clarifying government legislation surrounding all or part of six current food-related statutes: the Dead Animal Disposal Act, the Edible Oil Products Act, the Farm Products Grades and Sales Act, the Livestock and

Livestock Products Act, the Meat Inspection Act, and the Fish Inspection Act. By bringing the food safety and quality requirements of these acts together under one umbrella, the consolidated act would establish a common approach and consistent standards for the safety and quality of our food.

At the Ministry of Agriculture, Food and Rural Affairs, it is our responsibility to work with the agri-food industry to enhance its ability to produce safe food. We must also ensure consumer confidence in the food safety systems. To this end, as I had indicated earlier, we have worked closely with the Ministry of Health and Long-Term Care during the development of this bill, and they will maintain the highest authority on public health issues. The proposed act requires that all food safety risks be reported to a medical officer of health. Our partnerships with the Ministry of Health and Long-Term Care and the Ministry of Natural Resources establish important built-in checks and balances for Ontario's food safety system.

The bill I have introduced today would modernize and strengthen the framework of this system and the food safety expertise and inspection and enforcement activities of each ministry, and provide an efficient and effective means of delivering programs to ensure public food safety.

This bill was developed after extensive consultation with our stakeholders, including commodity groups, food processors, general farm organizations, public health workers, government ministries, and consumer education representatives.

1410

During the consultations it was apparent that there was widespread agreement that the proposed act would provide the basis for improved food safety, increased food safety assurance and a higher level of consumer confidence.

Stakeholders told us that the act and its regulations should be scientifically based. Science is developing in leaps and bounds, and we agree we need to use new information and technologies available to us to increase the safety of our food supply. Modern, science-based food safety requirements can have economic benefits for producers, such as reduced farm inputs, increased production and expanded market access.

Stakeholders told us that the proposed act should be flexible and transparent. The broad nature of the legislation allows for maximum flexibility while regulations are developed, and provides for improved information sharing and updated inspection and investigation methods. We heard that the act should support industry food safety programs and should harmonize with national and international standards. We are committed to this, not only to ensure safe food for the people of Ontario but also to open new markets for Ontario producers and processors.

A consolidated modern food safety act would support the overall competitiveness of Ontario's agri-food industry and would allow it to maintain an increased market share both domestically and internationally.

Under the proposed act, the food safety and quality requirements of the current six food-related acts would be modified to include standards and requirements that will minimize public health risks from food-borne hazards; quality standards to promote the marketing of Ontario products; appropriate enforcement actions to ensure compliance; and a new authority to ensure a timely and effective response to a food safety crisis, including the ability to trace back to find the source of a contaminated food and to trace forward to determine where it has been distributed.

If the Food Safety and Quality Act passed, it would provide the people of Ontario with an all-encompassing framework. Once created, we can, in consultation with our stakeholders, develop the framework that provides clear, strong, science-based regulations that will ensure the people of Ontario continue to have a safe food supply.

**The Speaker (Hon Gary Carr):** Responses?

**Mr Steve Peters (Elgin-Middlesex-London):** To the Minister of Agriculture today, congratulations on introducing a second piece of legislation which for the most part is very much an empty-shell piece of legislation. What we've seen previously with the nutrient management legislation and what we saw today is legislation put in place with the most important aspect of that legislation lacking: the regulations. I can put the minister on notice right now, and all government members, that we'll be monitoring closely the consultations that take place this summer and we will be following your consultation tour around.

Minister, it's very interesting to hear you talk about working with the Ministry of Health and the Ministry of Natural Resources, but there's one ministry you failed to mention, and that's the Ministry of the Environment. Even in this piece of legislation here today, when you start looking under definitions and it starts talking about manure and other biosolids being used as agricultural inputs, those are issues that need to be dealt with in conjunction with the Ministry of the Environment. There is a failure of any mention of the Ministry of the Environment here.

Both pieces of legislation, this and the nutrient management legislation, we know are of utmost importance to the well-being of the health and safety of all Ontario's citizens. Both pieces of legislation are extremely crucial to the economic viability of the agricultural industry in this province. But again we're lacking many details: details to come in regulations.

It's important to go on the record to say that, very strangely, this legislation that we've heard talked about for a long period of time has suddenly and miraculously appeared, just as the government is about to appear before the Walkerton hearings to become and remain accountable for what they've done to hurt the industry in this province.

It's one thing to have the legislation in place, but again, much like the nutrient management legislation that we saw previously, there's no financial commitment in

here. We've witnessed with this government in the area of investigations alone that up until last fall there had only been four investigators in the whole of the province. It wasn't until the media started to raise the issue of illegal abattoirs in the fall of 2000 that another investigator was added.

It's interesting too that when you look at the number of inspectors, in 1993 there were 130 inspectors inspecting the meat industry in this province. There were 50 less in the year 2000; we're down to 80 inspectors. You're talking about the importance of food safety and what you want to do, but you're not backing it up with the resources that are sorely needed. When you look at the resources and at how the budget in this area has fallen since the election of the Mike Harris government, this government that promised no cuts to agriculture, we've seen the budget fall in this area of food inspection and food safety from \$12.5 million to \$7 million.

They talk about how they're going to step up enforcement. Between 1996 and the year 2000, do you know what the Harris government's record was in the area of convictions? Eighteen convictions in a period of four years. It's very clear that this ministry, which was promised there would be no cuts to agriculture, has seen unprecedented and drastic cuts implemented and inflicted on it. Now what we're seeing is the ministry having to do damage control to fix all the mistakes that were caused by Mr Harris and his members, who said, "No cuts to agriculture." I think that's a real disgrace. We know the public is concerned about this issue, but this government seems to ride with the wave of whatever the media is saying. It wasn't until the media and their exposés in the meat industry that we saw any concrete action from this government.

Let's deal with the animal health lab at the University of Guelph. The animal health lab has seen its ability to maintain antibiotic resistance drop. It has seen its ability to conduct surveillance on emerging animal diseases drop. More and more we've seen reliance on stakeholders and the private sector. Even today the minister talked about the private sector. These are important to all the people of Ontario and shouldn't be left to the private sector to deal with.

I want to make a comment on behalf of John Cleary, the critic responsible for dealing with the dead stock issue. My colleague Mr Cleary has raised this issue numerous times in this Legislature and this government has totally disregarded the warnings Mr Cleary put forward. I want to compliment Mr Cleary on his efforts.

Minister, we look forward to the consultations. We will be there, we will be following and we will be watching.

#### MINISTERIAL STATEMENTS

**Mr Steve Peters (Elgin-Middlesex-London):** On a point of order, Mr Speaker: I rise in regard to standing order 35(c). The statement delivered to me, to which I was to respond today, was substantially different from that delivered by the minister. It made it extremely diffi-

cult to respond when I started to hear other statements being made that I wasn't privy to prior to the minister rising in the House.

**The Speaker (Hon Gary Carr):** Excuse me while I consult with the Clerk.

I thank the member for his comments. Standing order 35(c) says, "Two copies of each ministerial statement shall be delivered to the leaders of recognized opposition parties, or their representatives, at or before the time the statement is made in the House." Apparently this has come up with Speakers before. I believe in 1992 Speaker Warner ruled that it is not the Speaker's duty to decide what will be in the statement. Having said that, I would think that in most cases ministers should give a speech to an opposition member.

There may be some occasions when something comes up late, as it often will, that could be added. In the future, if something like that does occur, possibly what the minister could do is just mention there has been a little bit of a change, because I suspect the statements may change up until the time they are read. In the spirit of co-operation, I would ask all members to try to the best of their ability to get this speech so all members could follow along.

Having said that, I do understand that on some occasions it will arise that that can't be done. To make it fair for everybody, if the minister could just indicate that, that would help the critics in their responsibilities. I thank the member for his point of order.

Just before we begin question period, the member for Scarborough East, Mr Gilchrist, has provided—

**Mr Howard Hampton (Kenora-Rainy River):** Speaker, I believe I have a response as well.

**The Speaker:** I'm sorry; I apologize. Leader of the third party.

1420

#### FOOD SAFETY AND QUALITY LEGISLATION

**Mr Howard Hampton (Kenora-Rainy River):** Speaker, it's quite interesting to see, once again, the government introduce legislation that is frankly necessary to address something this government has created.

This is the government that in its first few months as a government said, "You know, we really don't need those people out there inspecting any longer," and so you laid off a number of the inspectors who were supposed to be inspecting provincially regulated abattoirs. I remember the then Minister of Agriculture saying, "We don't need these food inspectors." Then the next step, after you laid off a large number of inspectors, was that you took a number of other inspection positions and simply contracted them to outside organizations with absolutely nothing in place to ensure that food standards were going to be met, nothing in place to ensure they were going to meet certain standards.

That's the scenario this government created. Added to that scenario is the fact that you reduced the Minister of

Agriculture, Food and Rural Affairs by \$200 million a year on an operating basis. That's \$200 million a year that used to be available to ensure proper food inspection actually happened. But you did away with that. That was unnecessary.

Protecting our food and ensuring that food safety standards were met wasn't important. What was important was that you find the money to finance tax cuts for your well-off friends. We've seen from Walkerton what happens when you ignore basic issues like the safety and reliability of our drinking water, the safety and reliability of the food we eat. We've learned through hard lessons what happens when your priority is to give tax cuts to your well-off friends at the expense of safe drinking water and safe food for the population of Ontario.

The government now understands there is a problem—a problem they've created. So they bring in this legislation. But I want people to read the fine print. In the statement that was given today, and in the legislation, nowhere are there provisions that are going to require that the ministry of agriculture and food once again have the expertise and the people in the field to do these food inspections.

This is a bit like Ronald Reagan. When environmental disasters started to happen in the United States, Ronald Reagan would pass legislation but then ensure there was nothing in place to enforce the legislation. That's what we have here. The government finally acknowledges there's a big problem, a serious problem with respect to food safety, and so they're going to bring in this legislation. They make a big deal of announcing it. They spin out about a seven-page document in terms of media spin. But when you read the fine print, there is no money to do the inspecting, no money to hire the inspecting expertise, no money for the operational administration that would have to happen to support this.

So I say to people across Ontario: as the result of this legislation alone, can you have any greater assurance that food is safe? No, because there's no provision for inspection. Can you have any assurance that those provincially licensed abattoirs are in fact going to be inspected? No, because there's no provision to put the inspectors in place.

I'm sad to say this, but I think what we have here is another exercise in media spin. Make an announcement, hope that the public thinks the problem has gone away, hope that the media will give you a headline or two, and then hunker down and hope that nothing happens.

That won't do. This government is taking risks with food safety across this province. You've been taking risks with food safety for five years now. If you're really serious about this, stand in your place today, Minister, and tell us that the inspectors who were laid off, the inspections that were contracted out to outside agencies, will be there again, will be adequately funded, that you'll have the expertise to do the food safety inspections that need to happen.

If you can't give people that assurance—no, that guarantee—today, then this is nothing more than media spin, and it doesn't deal with the real problem.

## SPEAKER'S RULING

**The Speaker (Hon Gary Carr):** The member for Scarborough East, Mr Gilchrist, has provided me with a written notice of a point of privilege, as required by standing order 21(c). I would like to thank the member for giving me sufficient time to review the matter, and I wish to advise that I will be dealing with this matter directly without hearing further from the member, as standing order 21(d) permits me to do.

The member's point of privilege concerns a press release issued by the member for St Paul's, which advises of his intention to introduce a bill. The member for Scarborough East takes issue with the language of the press release, asserting, "Not only does it imply that he has already introduced this bill, it also implies that the bill is law and binding on the government."

I'm sure the member will appreciate that the Speaker is not in a position to require compliance by all members to any sort of format on press releases. On a specific point alleging that the press release prejudiced the course of debate in this Legislature, my reading of it leads me to a view that it is in fact substantially prospective in nature and is not offensive on that ground.

I do not find that the press release tramples upon the rights of the members enjoyed in this chamber, and therefore a *prima facie* case of privilege has not been made out. I thank the member.

## STANDING ORDERS

**Mr David Caplan (Don Valley East):** On a point of order, Speaker: It's unfortunate that I have to rise on a point of order in regard to section 97 of our standing orders.

I would say to you that section 97 deals with written questions, and in section (a) it says, "Questions seeking information from the ministry relating to the public affairs of the province may be placed ... on the Orders and Notices paper."

I have placed nine such questions on the Orders and Notices paper; in fact, these particular questions were placed April 24. Now our standing orders are very clear, Speaker. They say in 97(d), "The minister shall," and it is not the minister's ability, whether or not he or she wishes, to answer; it says, "shall answer such written questions within 24 sitting days."

It has been well beyond 24 sitting days and, Speaker, as you would know, I placed these selfsame questions on the order paper back in December of last year. Of course, the House was prorogued by the Premier and so this is a new Parliament. It has been well past the 24-day period.

The standing orders go on, "unless he or she"—the minister—"indicates that more time is required because the answer will be costly or time-consuming or that he or she declines to answer, in which case a notation shall be made on the Orders and Notices paper following the question indicating that the minister has made an interim answer, the approximate date that the information will be

available, or that the minister has declined to answer, as the case may be."

Very interesting, Speaker. When you read the Orders and Notices paper, there is no answer. There is nothing from this particular minister, from this government, about legitimate questions that have been placed for that ministry, for the Minister of Municipal Affairs and Housing.

I want to reference section 1 of our standing orders. Section 1 is the conduct of business. Section 1(b)(iii) says, "to hold the government accountable for its policies." That is the first section of these standing orders, where we are discharged to hold the government accountable.

Our standing orders are very specific. They say that the minister shall make a reply, and you in your capacity, Speaker, are charged with the duty to enforce our standing orders. There is no latitude given for ministers to simply ignore the standing orders of this House. I would suggest that this constitutes a contempt of our standing orders and a contempt of our House.

*Interjection.*

**Mr Caplan:** I hear a member from across the way say, "We should change the wording of the standing orders." That's happened twice. This particular government, as governments before them, did in fact change the standing orders. This section—section 97—was specifically changed and it was put in this form and now it is reprehensible, in my opinion, for the minister to ignore this. So, Speaker, I ask you for a ruling on this matter. I ask you to enforce the standing orders of this House.

1430

**The Speaker (Hon Gary Carr):** I thank the member for his very valid point of order. All ministries will know that the standing orders are very clear, and I would ask in this case I believe the Minister of Municipal Affairs and Housing, who is here today, and I'm sure he will take note. There is in fact a standing order which says that they will be replied to, and I'm sure the minister who is sitting here today will hear your very valid point of order and, hopefully, the answers will be forthcoming.

I say to all ministries that it is very clear that the standing orders do have this procedure in place for the members to ask those questions and, when they aren't complied with, the ministries are not complying with the standing order.

I thank the member for his valid point of order and I'm hopeful that the minister will take his words here today and get a reply back to the member. I thank him very much for his participation here today.

## ORAL QUESTIONS

## PUBLIC HEALTH

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of Health. I have a copy in my hand here of a story which is just fresh off the

wire. It's less than an hour old and it describes in some detail some of the testimony delivered today by Dr Richard Schabas, the former chief medical officer of health for Ontario. In this testimony he describes a particular meeting he had when he attended the policy and priorities committee, cabinet's most powerful committee, chaired by the Premier.

He describes how he was there to issue a warning about some of the problems connected with downloading public health on to municipalities. He describes the result of this meeting. He says a deputy minister approached him, tapped him on the shoulder and said, "The Premier doesn't want you here for this discussion." He said he told Harris directly across the table that these were important issues and that it was important that the viewpoint of public health be heard. "The Premier looked at me ... and then he turned away," Schabas said. "As far as I was concerned, the Premier was turning his back on public health."

Mr Minister, why is it that the Premier and your government have turned their backs on public health?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I'll refer the questions to the Minister of the Environment.

**Hon Elizabeth Witmer (Minister of the Environment):** As the Leader of the Opposition knows full well, there is ongoing testimony being provided at the Walkerton inquiry. Obviously, at the end of that time period there will be recommendations and we look forward to dealing with any of those recommendations at that time.

**Mr McGuinty:** The Minister of Health could have delivered the same response. I don't understand why he referred it to you but I'll go on with this very interesting, disturbing and troublesome article.

Dr Schabas said that seven of Ontario's 37 health units are in violation of the law today because they only have a part-time medical officer, a situation he called "unprecedented." One of those is in Huron county, adjacent to Bruce county, of which Walkerton is the capital. Bruce does have a full-time officer, Dr Murray McQuigge, who issued a boil-water advisory in May 2000 at the height of the E coli crisis. But Dr Schabas then adds, "I shudder to think what would have happened if such an outbreak had happened in Huron county," where they only have a part-time medical officer of health, contrary to the law, according to Dr Schabas.

So I come back to the same question that I asked earlier and I ask it on behalf of Dr Schabas: why is it that you're turning your back on public health concerns in Ontario?

**Hon Mrs Witmer:** Again I would hasten to remind the Leader of the Opposition that Justice O'Connor has undertaken, and is undertaking, a very comprehensive review of the situation that happened in Walkerton. I think it's very important that we not prejudice that investigation or the recommendations coming out of the inquiry.

**Mr McGuinty:** I'll go on with the article, Madam Minister. It says, "Schabas also criticized the Tories'

decision in mid-1996 to shut down the public laboratories that tested municipal drinking water, especially the haste with which that was done.

"He testified how he took the extraordinary step of getting [Minister] Wilson to ask his counterpart in the environment ministry about the lack of mandatory reporting of bad water."

He goes on to say, "The Tories always appeared to be driven by budgetary concerns rather than what was best for public health.... My voice was not being heard."

I think it has become painfully and perfectly clear: your government has refused to listen. This man was actually thrown out of the P and P committee room. This was a man who was charged with a very heavy responsibility to look out for the public health of all Ontarians. I ask you again, why did you turn your back on this man and his good counsel when it came to protecting the lives of Ontarians?

**Hon Mrs Witmer:** Again I would remind the Leader of the Opposition that we not prejudice the outcome of the investigation that has been undertaken by Justice O'Connor. Like the member opposite, we look forward to the recommendations and in the meantime, as he knows full well, there will be further testimony this week.

## GROUNDWATER PROTECTION

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of the Environment. Roughly one third of Ontarians rely on groundwater for their drinking water. Your job is to protect their drinking water. You haven't been doing your job and neither have your predecessors for some six years now. Stories about contaminated well water have become commonplace here in Ontario.

Here's the latest disturbing information. We've received a confidential memorandum and it tells us that of the 554 wells located on land the government of Ontario owns—these are lands you lease out—267 of those are contaminated and drinking water from those government-owned wells would make the farmers and their families who are leasing these lands sick. My question to you, Madam Minister, is this: if you can't provide safe drinking water for people who rent from you, how can we trust you to protect drinking water for the rest of Ontarians?

**Hon Elizabeth Witmer (Minister of the Environment):** As the leader knows full well, this government has introduced some very stringent new drinking water regulations and certainly there is now a standard indicating that there is a need for minimum treatment, sampling and reporting, and analysis, and also that any adverse results need to be shared with the local medical officer of health, the Ministry of the Environment and the owner.

**Mr McGuinty:** Madam Minister, it will probably be worth our while to review the record on this score. The Provincial Auditor and the Environmental Commissioner

both warned you, or your predecessor, in 1996 and said, "We need a groundwater protection strategy for the province of Ontario." In 1998 the auditor told us you still hadn't done anything on that front. You've now been in government for six years. Ontario is still without a groundwater protection plan. One year after Walkerton, one year after seven died and 2,000 became sick, we learn that out of your own 554 wells, 267 will make people sick, if not worse. Madam Minister, have you learned nothing? Why should we trust you when it comes to the protection of our groundwater if for six long years you have yet to put in place a groundwater protection plan?

**Hon Mrs Witmer:** We recognize that groundwater is a very important resource for people in this province. As the member opposite knows full well, we have initiated a partnership-based program to monitor groundwater resources in Ontario. We have committed \$6 million to establish a provincial groundwater monitoring network and we will be monitoring wells. However, what the Leader of the Opposition maybe doesn't want to acknowledge is the fact that we are re-establishing a program that was phased out by the Liberals between 1985 and 1990.

1440

**Mr McGuinty:** You've had six long years to take responsibility and put in place a groundwater protection plan, and you have done nothing. You've been warned by the Provincial Auditor, you've been warned by the Environmental Commissioner, and you've been warned by us on this side of the House.

Today, one year after Walkerton, we learn that your government is the proud owner of 267 contaminated wells. Over 200 farmers are farming on those lands. Those farmers have families, Madam Minister, and it might just be that accidentally a child might just drink some of that water. You've had six years to put in place in Ontario a groundwater protection strategy. Why is it that over the course of those six years, not only have you done nothing about groundwater at large, but when it comes to lands owned by the government of Ontario, there are 267 wells of which you are the proud owner and which are today contaminated?

**Hon Mrs Witmer:** The information is not correct. Our government has committed \$6 million to establish a provincial groundwater monitoring network, and I would just like to remind the Leader of the Opposition that it was his government that phased out the program. That program was not re-established by the Liberals nor was it re-established by the NDP.

In the meantime, we are continuing to work with the conservation authorities and we are continuing to work with the municipalities in order to ensure groundwater sustainability.

#### WALKERTON TRAGEDY

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the acting Premier, and it concerns the

testimony of Ontario's former chief medical officer of health. Today at the Walkerton inquiry, when he was asked, he admitted that he, as the chief medical officer of health, wasn't even consulted when your government made the decision to get out of the work of testing Ontario's drinking water.

We know that you consulted the Red Tape Commission. They had a direct pipeline to the Premier's office. But the chief medical officer of health, the person who is charged with ensuring that our public health system protects people's health and safety, wasn't even consulted.

Can you tell us why, when something as important as Ontario's drinking water was at stake, you wouldn't even consult, you wouldn't even talk to the chief medical officer of health?

**Hon Chris Stockwell (Minister of Labour):** The Minister of the Environment will respond.

**Hon Elizabeth Witmer (Minister of the Environment):** In response to the question that has just been placed by the leader of the third party, I just remind the leader that the commission, of course, is continuing to look at all of the information that is being presented to the inquiry, and it would be inappropriate for us today to prejudice the conclusion or any of those recommendations.

**Mr Hampton:** I'm not asking anyone to prejudge the conclusion; I'm asking a government that boasts all the time about accountability, what's your accountability for not even consulting the chief medical officer of health? What's your accountability when you get out of the work of protecting Ontario's drinking water and you don't even ask the chief medical officer of health, "Is this a good idea? Might we be putting people's health at risk?" You're not prejudging the inquiry by answering that question. You're trying to cover up your own lack of accountability and your own lack of responsibility.

So tell us, why would a government, a government anywhere, put at risk the public's drinking water supply and not even ask the medical officer of health, "Is this a good idea?"

**Hon Mrs Witmer:** There is a tremendous amount of information that has been provided in the course of the past few months. I think it's extremely important that we allow the inquiry to continue to do the work that it is doing, to continue with its investigation of the events. Certainly we all look forward to receiving the recommendations.

**Mr Hampton:** Dr Schabas said something else that's quite interesting. He confessed that right now across this province there are no fewer than seven public health districts that don't have a local medical officer of health. You know who that would be, don't you, Minister? That would be the person who would have to order that the water be boiled. It would be the local medical officer of health who would be in charge of talking to the municipality and all other local officials and saying to them, "We've got a water problem, and this is what you must do about it."

After Walkerton has happened, after seven people were killed and over 2,000 were rendered seriously ill by this kind of water problem, can you explain to the people of Ontario why there are still seven health districts that don't have a medical officer of health who could blow the whistle on dirty water there, as it was blown at Walkerton, but unfortunately too late? Tell us why the seven districts still do not have a medical officer of health, despite the fact that the law says they must have a medical officer of health.

**Hon Mrs Witmer:** The testimony today is part of the comprehensive review that has been undertaken. Again, I would hasten to add that it is very important that we not prejudice the investigation that is taking place or the work or the questions that are being asked by the inquiry. Certainly, we all look forward to receiving the recommendations in order to ensure we would never again have a situation such as Walkerton.

#### NORTHERN CANCER TREATMENT

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Health. Two weeks ago Ontario's Ombudsman, Clare Lewis, found that your ministry was discriminating against cancer patients from northern Ontario. He very specifically made the recommendation that equal funding be provided to breast and prostate cancer patients who have to travel for radiation treatment. He said that what was happening under your government was "improperly discriminatory."

Today, a woman from my constituency, Anna Watson, came here to Queen's Park for the second time in a year to plead for equal treatment for cancer patients no matter what part of Ontario they come from. She knows about this at first hand. She had to spend \$2,500 out of her own pocket just to get to the cancer treatment.

The question is simple: will you now guarantee the people of this province that you will accept the recommendation of the Ombudsman of Ontario and provide equal treatment for those cancer patients who have to travel in order to access cancer treatment?

**Hon Tony Clement (Minister of Health and Long-Term Care):** We are in receipt of the Ombudsman's report, as is the honourable member. The Ombudsman's report makes certain conclusions and certainly has a series of recommendations. We are apprised of that and we are taking it under advisement. I can tell the honourable member that we want to create a travel grant policy for all of Ontario that is fair to northern Ontario and southern Ontario and fair for cancer sufferers and for other sufferers of terrible diseases. We are apprised of this, and we are working our way through the best way to respond to this and other requests.

**The Speaker (Hon Gary Carr):** Supplementary?

**Ms Shelley Martel (Nickel Belt):** Minister, the Ombudsman found that your government discriminated against northern cancer patients, and you have an obligation to provide a remedy. I asked the Ombudsman in the Legislative Assembly committee last Thursday why he

didn't recommend retroactive payments for northern cancer patients. He said the following:

"I was very, very concerned about the time it was taking for me to get a response by the ministry on this case.... I thought it would give the ministry a reason to take longer to answer me and I thought if I waited, it would be too late and I wouldn't be here, because I have not felt that this matter has moved expeditiously.... I felt that it wouldn't take too much to snooker my getting to this stage and I didn't want to be snookered."

The Ombudsman makes it clear that your government has done everything possible to continue its discrimination against northern cancer patients. Minister, the time for review, the time for delay, the time for stalling is over. Enough is enough. Will you today agree that your government will retroactively reimburse northern cancer patients for 100% of their costs for food, travel and accommodations too?

1450

**Hon Mr Clement:** In fact, we are reviewing every aspect of the Ombudsman's report. I think the honourable member would be the first one standing up and criticizing us if we acted in so much haste that we tried to preclude the Ombudsman's report.

We are in receipt of it now and it does have a number of serious recommendations. We on this side of the House are interested in fairness, we're interested in a policy that works for all areas of Ontario, all citizens of Ontario, and indeed deals not only with cancer sufferers but also sufferers of other diseases. That's the spirit in which we are tackling this thorny problem, which quite frankly precedes this government.

#### PUBLIC HEALTH

**Mr Dalton McGuinty (Leader of the Opposition):** This question is for the Minister of Health. Now that you have learned today that seven of Ontario's 37 health units are in violation of the law because they only have a part-time medical officer, something that Dr Schabas has called "unprecedented," what I'm wondering is whether or not your government will once again ignore his warnings. He has told us in the past, "As far as I was concerned, the Premier was turning his back on public health." He said earlier today, "This was a government that really held public institutions in contempt. It was contemptuous of the people who worked in public institutions."

Minister, we now understand that seven of Ontario's 37 health units are in violation of the law. You have that information. Will you ignore Dr Schabas's warning or will you act on it and fix that today?

**Hon Tony Clement (Minister of Health and Long-Term Care):** Let me assure this House and the honourable member that we take public health extremely seriously on this side of the House. We have certainly increased our flow of dollars for preventive medicine that has been roundly endorsed by public health officials. Our flu immunization policy, which is unprecedented in

North America, is a shining example of preventive medicine. We in fact have a very forward-thinking Alzheimer's strategy which again has elements of preventive medicine, and our Family Health Network has large elements of preventive medicine.

The honourable member seems to have drawn some conclusions which are not borne out by the facts. We on this side of the House take public health extremely seriously and have been working with public health authorities and public policy designed to have better public health in Ontario.

**Mr McGuinty:** Minister, you may say that you take public health concerns seriously, but your actions speak otherwise. If it comes to a choice as to whether I should believe Dr Schabas, the former chief medical officer of health for Ontario, the man who issued warnings time and time again to you, or whether I should believe you or other representatives of your government, I'm with Dr Schabas. Here are some of the things he said: "As far as I was concerned, the Premier was turning his back on public health." "The Tories always appeared to be driven by budgetary concerns rather than what was best for public health." "My voice was not being heard." It seems to me that once again you are giving evidence of that.

He has told us today that you are in violation of the law. There are seven communities where we don't have a full-time medical officer of health. He has issued another warning. He has sounded the alarm bells again today. Minister, why is it that you continue to ignore Dr Schabas's warnings?

**Hon Mr Clement:** The honourable member is just plain wrong. In fact, of course we as a ministry would be happy to work with any medical officers of health or any jurisdictions that need some assistance in this area.

I can tell the honourable member that all local health boards have at least acting medical officers of health and therefore are consistent with the Health Protection and Promotion Act. So when the honourable member makes this accusation on his side that there is somehow a law being broken, he should be very clear about what he is suggesting, because it just isn't true.

We on this side of the House have put our money where our mouth is. We are supportive of public health. We have been supportive of new programs in public health. Our record speaks volumes compared to his rhetoric.

#### ACADEMIC TESTING

**Mrs Tina R. Molinari (Thornhill):** My question is for the Minister of Education. On Friday you announced new testing for Ontario students. There are many studies that identify the positive correlation between student testing and better student results. In fact, one study I found recently discovered that students from provinces with testing programs were better prepared in math and science than students from provinces that lacked such tests.

Minister, can you tell me what commitment the government is making to increase student success at this time?

**Hon Janet Ecker (Minister of Education, Government House Leader):** As this government clearly believes and we've said many times, if we don't test, we don't know if our students are learning the new curriculum. The tests I announced on Friday are specifically designed to help teachers determine how well students are learning the curriculum and determine how best to give students assistance to improve.

The test questions will be for key subjects, core subjects from grades 3 to 11—science, for example, and social studies—and will be phased in over the next several years. The questions are going to be developed by the EQAO. They obviously have the testing expertise as the government's arm's-length testing agency. These tests, while developed by them, will be administered and marked by classroom teachers as part of the regular assessment they are doing of students.

**Mrs Molinari:** Thank you, Minister, for the answer. It is evident that there is a genuine commitment to improve student results and success.

As you know, I agree that testing plays an important role in a student's education. In fact, I recall that the opposition once felt the same way, but it now seems they are changing their minds. Of course, as we have seen quite often, the opposition changing their minds has become a common scene here.

Minister, will you confirm that our government will remain committed to improving students' education through effective testing measurements?

**Hon Mrs Ecker:** Yet again we've seen a flip-flop from the Liberals on this issue. On a very, very important quality standard in education, while we have the education critic out there saying that testing is not appropriate for students, that he objects to students, that he says it's loony—he called it "loony," and yet at the same time his leader has been out there telling the voters that he agrees with the standardized curriculum and with standardized testing.

So here we go again. Dalton says one thing; Gerard says another. Would the real Liberal Party please stand up?

#### NORTHERN HEALTH TRAVEL GRANT

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I have a question for the Minister of Health. Minister, on my return from Thunder Bay to Toronto this morning I was seated beside a constituent of mine, a young mother with her four-month-old baby. They were making a return visit to University Hospital in London for further treatment for the infant, who is likely to have to undergo heart surgery.

At least this time the mom was able to travel with her baby. When this baby was born, she had to be airlifted to London for emergency life-saving surgery. There was no room on the air ambulance for the parents of the child, so

they had to follow on a commercial flight. This young mom has been denied a northern health travel grant to help cover her plane costs on the grounds that she had not actually accompanied her infant.

Minister, this is how inhumane your travel grant program has become. We have written to you about this case, as we've written to you about so many others. Why will you not see the anguish that people are going through and act now to provide fairness for people who have no choice but to travel to get necessary health care?

**Hon Tony Clement (Minister of Health and Long-Term Care):** As the honourable member is aware, the northern health travel grant preceded this government. I agree with the honourable member that it is a program that needs to be fixed.

I will not comment on the individual case, but if you can provide me some details later, we can certainly look into it. But from my perspective, we do have a travel grant program which at times seems inconsistent and deserves to be reformed. That is exactly what this government has been seeking to do. We have been getting lots of feedback from experts, lots of feedback from citizens in the north, and we're putting it all into the hopper to get a fair program for northerners and a fair program for all Ontarians, regardless of where they live and regardless of which disease they are afflicted with.

**Mrs McLeod:** I don't think that answer is going to convince that young mom I was travelling with this morning, Minister. Northern Ontario residents have tried so long and so hard to get your attention. You have had case after case brought directly to your attention. There have been hundreds of petitions with thousands of names on them, asking simply for fairness. The only response northerners have had is your Premier saying that the real discrimination is against southern Ontario residents.

Anna Watson was not prepared to accept that, not after she paid \$2,500 out of her own pocket to get her cancer care. That's why she went to the Ombudsman. Northern Ontario residents are angry, they are frustrated and they have waited long enough. Anna Watson was here today with Gerry Loughheed from OSECC, Ontarians Seeking Equal Cancer Care. They are prepared to take your government to court if you will not act now to end this discrimination.

Minister, I ask you, will you act to right the wrong, or do northern Ontario residents have to take your government to court just to get fair treatment?

1500

**Hon Mr Clement:** Again, if the person to whom the honourable member referred would like to contact our ministry to work out the issue, I'd be happy to facilitate that.

**Mrs McLeod:** We have.

**Hon Mr Clement:** I can tell the honourable member—

**Mr Rick Bartolucci (Sudbury):** We phoned the day after you became minister.

**Hon Mr Clement:** —and she knows this full well, and Mr Bartolucci knows full well as well, that there

have been instances where they have communicated to me by correspondence on particular issues about how the northern health travel grant has been applied. I have been facilitating fairness and justice for the issues that deserve fairness and justice. For these honourable members to stand there and say that we have been inflexible when I have been helping their constituents day in and day out on behalf of the people of Ontario is beyond the pale and is not right.

## INFORMATION TECHNOLOGY

**Mr R. Gary Stewart (Peterborough):** My question is for the Chair of Management Board of Cabinet. I have constituents in my riding who are concerned about the pace at which information technology is growing in the province. They do not object to the use of information technology but want to ensure that Ontario does not get left behind. They want to ensure the talented men and women in Ontario will be contenders in this phenomenal growth, creating more jobs and putting more money into the economy.

Minister, does the government have a plan to ensure that this hope becomes a reality? Is it committed to helping this very valuable sector of the economy grow and compete not only in Canada but around the world? What can you tell my constituents who work for small and medium-sized IT companies who want to make sure they are able to take part in what this technological revolution promises?

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet):** I'm pleased to say this government believes that development of all sectors of the economy is a priority. We know that good jobs are an essential part of building a very strong Ontario. That's been evidenced since 1995 by the unprecedented growth of almost 850,000 net new jobs in Ontario. This not only applies to large companies but also to small and medium companies. That's why we're taking a comprehensive approach, including an advisory council on e-government which will include people from the IT sector, which will help us in terms of looking at issues concerning the private sector, such as a priorities implementation of e-government, technology and business alignment, managing processes of large-scale change, linkages between government delivery partners and relationships between government and industry.

**Mr Stewart:** The government of Ontario itself has a significant role to play in the way it chooses its suppliers for contracts which are worth several million dollars. Some of its contracts can be very lucrative to awardees. Some business people believe the standards the government applies too heavily favour big businesses and do not allow smaller competitors a realistic chance. How do you respond to this, and how does the government address this in light of its other responsibilities to the people of Ontario and its government employees?

**Hon Mr Tsubouchi:** I've said it before publicly: this government's committed to becoming a world leader in

e-government by the year 2003. This includes, of course, fostering a very positive business atmosphere and environment. As my colleagues and I have said, this government's first priority is the people of Ontario, which means we're committed to the prudent management of tax dollars entrusted to us by the taxpayers. We're going to evaluate all contracts with that view of getting the best value.

We'd also like to balance that with encouraging growth in the smaller and medium-sized companies. Part of this is dealing with the advisory council getting some feedback from the industry itself. However, in the meantime we're taking measures to ensure that we encourage fair competition among companies when competing for government contracts. This includes participating in forums to allow small and medium business to understand how to deal with government and its contracts and the procurement process.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: I seek unanimous consent to give second and third readings to Bill 66, the Wilfrid Laurier University bill.

**The Speaker (Hon Gary Carr):** It is a little out of the ordinary to ask the same question, but I understand there may be some movement there, so I will ask for unanimous consent. I'm afraid I heard some noes. Start the clock. Leader of the third party.

### POLITICAL CONTRIBUTIONS

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Natural Resources, who seems not to be here right now. I'm told he's in the building.

The question concerns another of the Premier's golfing buddies asking for special treatment. We understand that Peter Grant wants to carve out pristine crown land to build a golf course for himself, for his personal pleasure. He wants to extract huge quantities of water from Twin Lakes. He wants to spray pesticides, herbicides and fertilisers without regard to environmental values or the concerns of local residents. What's important about this is that Peter Grant happens to have contributed \$80,000 to the Conservative Party, including \$5,000 to your election campaign, Minister of Natural Resources. Is this what Ontario has become, that someone who wants a golf course contributes some money to the Conservative Party and then the golf course flows?

**Hon John Snobelen (Minister of Natural Resources):** I must say I'm disappointed with the question. It's obvious that the leader of the third party is using the Toronto Star for his research material, and he's going to be disappointed to know there are some inaccuracies in the question he's asked today. I don't know, and I suspect the member opposite doesn't know, what is in the mind of Mr Grant. He has made an application to the ministry. It is going through the normal process that any other application made to the ministry would, and the process is being followed to the T. That's the process that's in

place, that's what's happening, and any allegations to the opposite, I haven't seen any evidence of whatsoever.

**Mr Hampton:** Let me explain for the Minister of Natural Resources. What's on people's minds is this: someone named Peter Minogue, another Peter, wanted a golf course on the shores of Callander Bay. The Ministry of Natural Resources biologists and fisheries experts over a long-standing period said, "No, this is not in good standing in terms of environmental values." But Mr Minogue went the political route and the financial route and, lo and behold, a golf course appears despite the objections of the Ministry of Natural Resources.

What I'm asking you in this case, Minister, is to respect environmental values, put clean water and good forests ahead of Peter Grant's financial contributions to the Conservative Party. That's the process we'd like to see followed. Can you give us any guarantee you're going to follow the process of protecting environmental values rather than the process of your financial contributors?

**Hon Mr Snobelen:** I don't believe this government needs much of a lecture on environmental values when we've created 378 new parks and protected areas in this province, protecting an additional six million acres for future generations. I don't think we need a lecture from the member opposite, but I can tell the member that one other component of this decision-making process that is important to the people of Ontario is local decision-making. That's why this is in the hands of the district manager in that area, which it should be; that's why there have been letters issued to local residents; that's why there have been public meetings; and that's why there's been a public and agency notification period extended beyond that required by law for an additional 30 days. That's why all of those have taken place.

### PUBLIC HEALTH SERVICES IN EASTERN ONTARIO

**Mr Richard Patten (Ottawa Centre):** My question is to the Minister of Health. I'd like to ask you about the waiting times for MRIs and CAT scans in the Ottawa area that serve Ottawa and eastern Ontario. Your government had considered carefully to review the situation in Ottawa, which is quite desperate. There were reassurances that we would see improvements. We have still not seen anything. Let me reassure you that a CAT scan or MRI is no small thing for someone who may have their life hanging in the balance.

1510

In Ottawa as it stands today the waiting lists are far beyond any of the recommendations from your ministry or from Cancer Care Ontario. It has gotten to the point where we're seeing our doctors leave. Dr Jacques Bouchard, a brilliant surgeon at the Ottawa Hospital, is now departing for Alberta because he is so frustrated with the diagnostic system and the backlog that is there that he can't stand to work in this particular system.

Minister, I ask you, what do you plan on doing in terms of relieving the long waiting lists in the Ottawa area and eastern Ontario?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I thank the honourable member for the question. Indeed, there are presently three MRIs currently located in the city of Ottawa. I can tell you that that gives it a ratio that is better than, let's say, western Quebec and other areas of the province of Ontario as well. I can tell the honourable member that, as he knows, there have been various reports about the state of MRI services in Ottawa. We are in possession of those, and we are making some decisions this year relating to the fact that we are spending \$23.5 billion of the taxpayers' money on the provision of public health services in Ontario this year, a record amount for the sixth year in a row. Certainly, I'll take the honourable member's point of view under advisement.

**Mr Patten:** I gather that there isn't anything imminent. Precious time is needed to fight a life-threatening illness, as you well know. Following my last cancer chemotherapy on May 9, I was then slated to have a CAT scan, the results of which would take over nine weeks to see whether or not I would need to have continued treatment. If I don't, then everything is fine. If I do, time being the enemy, I might be in jeopardy.

I'm not alone. There are many people of eastern Ontario—I have three options: (1) I can wait, which I'm doing; (2) I could try to use favours and influence someone here or there. I rejected that option; (3) I could go to Hull and in one afternoon walk away for \$350 to \$400. You talked about Quebec. They provide those kinds of services. I ask you to check your statistics, by the way, because I don't think your ratios are correct.

So I ask you, what do you suggest to those of us who may be in a situation where we may be jeopardized in one way or another? What would you suggest we do? Which option should we exercise?

**Hon Mr Clement:** I thank the honourable member for the question. Let me just say I know we're dealing with a very human issue here, and I'm not belittling that.

I can tell you just for the record that the Ottawa region is served by one MRI machine for every 368,000 population, which compares favourably to many other regions. Having said all that, obviously what the honourable member is facing—and obviously all of us wish the best for the honourable member—is what is in fact being faced by many other Ontarians, and it just isn't good enough. I agree with the honourable member.

That is why from our point of view we have suggested to the federal government that they should live up to their commitments when it comes to health care spending. But in the meantime we have to seriously look at the best ways to provide the best service to Ontarians, not only now but also for future generations. That is the big question that is before us. I think it behooves us as politicians to look very seriously at other alternatives. We cannot bury our heads in the sand. We cannot just pretend that the status quo is going to work in the future. Certainly the

honourable member's perspective is a valid perspective and one which we should take under consideration.

#### VISITOR

**The Speaker (Hon Gary Carr):** If we could stop the clock for just a quick moment, we have in the members' gallery west a former member, Dr Bob Frankford, the member for Scarborough East in the 35th Parliament. Dr Frankford.

#### YOUNG OFFENDERS

**Mrs Julia Munro (York North):** My question is for the Attorney General. Minister, the citizens of Ontario are tired of young offenders being given a free ride when it comes to sentencing, courtesy of the federal government.

The Young Offenders Act, which has been in effect—or should I say of no effect—since 1984, is a toothless embarrassment. To quote Peel Regional Police Superintendent Ed Toye, "You can go to young offender court right now and hear total disregard for the justice system."

On May 29 the federal government passed its much anticipated—eight-year wait—Youth Criminal Justice Act, which was supposed to toughen the Young Offenders Act. Unfortunately, this bill is as bad as the old one and in some cases worse. The new bill does not address many of the recommendations brought forward by the Mike Harris government and other province governments.

Minister, would you explain Ontario's position on the federal government's Youth Criminal Justice Act?

**Hon David Young (Attorney General, minister responsible for native affairs):** I appreciate the question. In essence, what has happened over the past few years is that we have seen a federal government, the Liberal Party in Ottawa, essentially ignore not only the representatives in this Legislature who have asked for an opportunity to make submissions to the federal government about this very important issue but ignore the people of this country.

In fact, in a recent CTV-Angus Reid poll the vast majority of those surveyed indicated that they had little or no confidence whatsoever in the Young Offenders Act.

The member is quite right. The Youth Criminal Justice Act that has been introduced and is currently in front of the Senate does little or nothing to improve the situation, and the people of Canada deserve better. That's why we have asked the federal government to give us an opportunity to present to the standing committee and we have asked for an opportunity to present to the Senate committee, because we have a voice. It's the voice of the people of this country and it deserves to be heard.

**Mrs Munro:** The McGuinty Liberals have repeatedly said that our government is all sound bite and no solution when it comes to the Young Offenders Act. Minister, can you please let us know what you have done to try and

pressure the federal government to substantially amend this legislation and take some real steps to strengthen youth justice in Canada?

**Hon Mr Young:** We have come forward over the past number of weeks with 100 proposed amendments that we have developed after consulting with front-line police officers and after consulting with victims. They are amendments that will do a great deal, if adopted, to improve the manner in which legislation that exists in this country deals with young offenders.

It is legislation that if adopted by the federal Parliament—this is what the Mike Harris government says the federal Liberals should do. We say that if you commit an adult crime, you deserve adult time. We say that if you use a weapon in the course of an offence, then you should have some jail term. We say that when you're dealing with a serious crime and a 16- or 17-year-old who is convicted of that offence, there should be public identification so that the communities and the people of this province and of this country understand just what is going on in the courts and in the communities of this country.

#### POST-SECONDARY EDUCATION FUNDING

**Mrs Marie Bountrogianni (Hamilton Mountain):** My question is for the Minister of Training, Colleges and Universities. Minister, the increased demand for post-secondary spaces in 2003 and beyond lies mainly in the GTA. The increase in the population of 18- to 24-year-olds is approximately 25% higher in the 905 belt than in the rest of the province—in fact, than in the rest of the country.

Most University of Toronto students who live in the 905 area attend the Mississauga and Scarborough campuses. Minister, your SuperBuild to date has not addressed these specific needs. Can you assure this House that any student who needs to stay in the GTA will not be forced to move because of your government's lack of planning and underfunding?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** As the member opposite knows, the universities and colleges made their submissions to the SuperBuild fund two years ago. All of these announcements, some 59 announcements have been made.

Our analysis is that with the colleges and universities together, the opportunities for spaces have been fairly well distributed. If there is some outstanding information that we don't have that the member thinks will affect the accessibility, I would be happy to discuss it with her.

Right now, there are so many opportunities, \$1.9 billion, \$1.8 billion new buildings, 73,000 spaces yet to be built and offered. I think there is a fair choice across the province, but I'm happy to discuss any inconsistencies that the member may bring to my attention.

1520

**Mrs Bountrogianni:** It's not very reassuring that this was missed. Some 20,000 out of the 80,000 students in

the double cohort and beyond in this decade are from the 905 belt, Mississauga and Scarborough. York University and the Mississauga and Scarborough campuses of the University of Toronto must account for the demand for these spaces. That's a fact. Some 87% of the students at the two University of Toronto campuses live in the GTA and remain at home for their education. These institutions have already had to accept thousands of students without government support.

Without additional capital investments, students in the 905 area will have to seek a place elsewhere. SuperBuild did not address these specific needs. They will not be able to live at home. Between 50% and 60% of them require OSAP to go to school. Will you commit today in the House that you will invest the needed capital costs so that these students who need to stay at home in the 905 belt are able to stay at home?

**Hon Mrs Cunningham:** In the GTA region there are over 4,480 spaces at Centennial College; there are over 3,000 spaces at Durham College; there are 1,800 spaces at George Brown college; there are 400 spaces at Ryerson; there are 2,400 spaces at Ryerson for the centre for engineering; 2,050 at Seneca College, and the list goes on: Sheridan-University of Toronto, University of Toronto, York University, Humber and Guelph, Ryerson and George Brown, Toronto and Sheridan, York and Seneca. These colleges often work together in the GTA. They have partnerships for joint programs. The colleges and universities were separate. They did their own analysis of what spaces they need for the students and we responded: \$1.8 billion; 73,000 new spaces across the province. I would be happy to discuss any specific deficiency that the member feels would be important to address.

#### CEMETERY MAINTENANCE

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** My question is for the Minister of Consumer and Business Services. Last week the member for Elgin-Middlesex-London gave a statement in this House regarding rural cemeteries in Ontario and the challenges they are facing when it comes to proper care and maintenance. Minister, could you clarify for the House what really happens when a cemetery owner can no longer maintain a cemetery?

**Hon Norman W. Sterling (Minister of Consumer and Business Services):** Over the last 20 years, when I've had the privilege of being a member of this Legislature and representing rural constituencies, I've met with many individuals who have voluntarily taken time to take care of our rural cemeteries. This is often done on a volunteer basis and small boards, small cemeteries, operate in a non-profit mode. The owner is responsible for the upkeep, and hopefully they can gain enough from the sale of the plots and from ongoing fees in order to sustain their operation. This is the way it has been for over 70 years. If an owner fails to keep up a cemetery, the municipality is then forced to take over.

**Mr Gill:** In his rant last week, the member from Elgin-Middlesex-London stated that in response to the concerns raised by the Fingal Cemetery owner, you referred them to the Alcohol and Gaming Commission to, as he said, "stage bingos and sell beer to bury our loved ones." Minister, could you please tell us what you suggested to the owner of the Fingal Cemetery?

**Hon Mr Sterling:** That's why I appreciate the opportunity to clarify this particular situation. I would never have been as insensitive as to suggest this to these people who are doing good work in our rural communities. I did mention to the owner that there are several opportunities where other cemetery owners in rural areas have gone for financial help.

First of all, because the responsibility would devolve to the municipalities, some municipalities assist rural cemeteries. As well, I noted that at this particular cemetery that was referred to in the correspondence there had not been any increases in plot prices or in charges since 1994, and I suggested they look at that policy again.

#### HAZARDOUS WASTE

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of the Environment. I see the briefing notes are still here but the chair is vacant.

**The Speaker (Hon Gary Carr):** Stop the clock for a quick moment, please. Is the minister still here? The leader of the third party.

**Mr Hampton:** Minister, my federal NDP colleague from Windsor-St Clair, Joe Comartin, has obtained through freedom of information an Environment Canada draft report that shows that Ontario has become a hotbed of hazardous waste dumping while you and the Liberals in Ottawa ignore the problem. Safety-Kleen, and I'm sure you're aware of Safety-Kleen near Sarnia, takes in practically all of the imported hazardous waste in Canada destined for landfills. The company is responsible for toxic leaks at the St Clair township site that people fear will contaminate their water. My question, Minister, is, in a post-Walkerton Ontario, how can you refuse to act on this serious problem?

**Hon Elizabeth Witmer (Minister of the Environment):** In response to that question, I'd like to inform the member that we have taken action. We actually did amend and strengthen Ontario's hazardous waste framework on March 31, 2001, in order to ensure that we have the toughest framework in the history of this province. We have stringent new leachate testing requirements that are more comprehensive than that of the United States. We have expanded the list of known toxic chemicals from 31 to 88, well ahead of the 40 identified in the United States. We have brought derived-from-standard in line with the US EPA.

I'd also like the leader of the third party to know that we are finding that the amount of imported hazardous waste has decreased from 1999 to 2000.

**Mr Hampton:** Minister, I notice that you don't mention changes in law. What you've mentioned is simply a

framework, and because the law remains the same, you've essentially got a situation where Ontario is the worst jurisdiction in North America. Let me tell you what's not in your laws. These companies can dump what they want. They don't have to report annually to protection authorities. They don't have to provide for groundwater quality monitoring. They don't have to treat their hazardous waste before dumping. They don't even have to have a plan in place in case of emergency.

What has happened is this: every other jurisdiction in North America has been updating their environmental protection laws to deal with the dumping of hazardous waste, except for your government, which has held out an open hand that says, "Hazardous waste dumpers, you're welcome in Ontario." I ask you the question again: in post-Walkerton Ontario, are you finally going to clean up your act?

**Hon Mrs Witmer:** The leader of the third party is wrong. He is categorically wrong. We are reviewing our hazardous waste policy. We will continue to take steps to strengthen it. As I've just indicated to the member opposite, we have seen a decrease in the amount of hazardous waste coming into this province and we are seeing an increase of what is being expanded. So I would hasten to encourage you to make sure that next time you get your facts straight.

**The Speaker:** New question.

**Ms Caroline Di Cocco (Sarnia-Lambton):** My question is to the Minister of the Environment. Minister, I'm going to ask you to meet your ministerial responsibility and actually stop accepting toxic hazardous waste into the province, most of which you know is landfilled and incinerated in St Clair township at Safety-Kleen. Your ministry made it easy for Safety-Kleen to expand in 1997. The site has leaks, our groundwater is at risk and your rules are still so lax that, unlike in the United States, at Safety-Kleen hazardous waste is simply dumped into the ground. Incredibly, 70% of that waste comes from outside the province.

Under Minister Sterling, Minister Clement and now yourself, the provincial environment checks and balances have been weakened. Irreparable damage is being done to the environment of that part of southwestern Ontario, and I don't know how we'll ever clean it up.

Minister, will you stop accepting toxic hazardous waste from outside the province since you don't have the regulations to deal with these wastes in an environmentally sound manner?

1530

**Hon Mrs Witmer:** The member opposite knows full well that the health and safety of the residents in her community are priorities for this government. In fact, we want to assure all the people who live near the landfill site that we are taking the steps that are necessary to safeguard their health and their environment.

She knows full well we have ensured that Safety-Kleen hire an on-site inspector and that they are providing an enhanced level of monitoring at the site. I want to assure her that we will continue to monitor the activities at Safety-Kleen and also any further expansion.

**Ms Di Cocco:** Minister, you didn't answer my question. You don't have the checks and balances in place. You have allowed and have undermined the regulations your government has, until we have become the largest toxic dump in Canada, most of which is being imported. We are importing more than they import into Mexico.

You have the jurisdiction to ban and restrict the accepting of hazardous waste. You are not managing the waste in an environmentally sound manner. In 1996, 1997 and 1998, your ministry and the Red Tape Commission weakened the rules for hazardous waste disposal and recycling. This ban and restriction is needed because it's necessary to protect human, animal and plant life and health. Will you meet your ministerial obligation and ban the accepting of hazardous waste since you do not have your act together on this matter?

**Hon Mrs Witmer:** I would say to the member opposite that she is being very selective in the choice of years. Perhaps she should have gone to 1999 and 2000. How deceitful to simply not pull all of the information—

**The Speaker:** Order. I'm afraid you have to withdraw that remark.

**Hon Mrs Witmer:** I withdraw that, Mr Speaker.

But how selective. If she takes a look at what was imported in 1999, it was 321,000 tonnes. In 2000, it was only 210,000 tonnes. Meanwhile, the exports have gone from 175,000 tonnes in 1999 to 220,000 tonnes in 2000.

Furthermore, she is conveniently neglecting to mention that Environment Canada—the federal government—is responsible for regulating the import and export of hazardous waste into and out of Canada. She also continues to omit the fact that we have strengthened our hazardous waste framework in 2001. Conveniently, she only chooses to talk about the years to 1998. She needs to share all the facts with her constituents and the people in this province.

## PETITIONS

### HOME CARE

**Mr James J. Bradley (St Catharines):** I have a petition that reads:

"To the Legislative Assembly of Ontario:

"Whereas the need for home care services is rapidly growing in Ontario due to the aging of the population and hospital restructuring; and

"Whereas the prices paid by community care access centres, commonly known as CCACs, to purchase home care services for their clients are rising due to factors beyond the control of the CCACs; and

"Whereas the funding provided by the Ontario government through the Ministry of Health and Long-Term Care is inadequate to meet the growing need for home care services; and

"Whereas the funding shortfall, coupled with the implications of Bill 46, the Public Sector Accountability

Act, currently before the Legislature, are forcing CCACs such as Niagara to make deep cuts in home care services without any policy direction from the provincial government;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) That the Legislative Assembly direct the provincial government to take control of policy-setting for home care services through rational, population-based health care planning rather than simply by underfunding the system; and

"(2) That the Legislative Assembly direct the provincial government to provide sufficient funding to CCACs to support the home care services that are the mandate of CCACs in the volumes needed to meet their communities' rapidly growing needs; and

"(3) That the Legislative Assembly make it necessary for the provincial government to notify the agencies it funds of the amount of funding they will be given by the government in a fiscal year at least three months before the commencement of this fiscal year."

I affix my signature. I am in complete agreement.

## ELECTRICITY DEREGULATION

**Mr Howard Hampton (Kenora-Rainy River):** I have a petition to the Ontario Legislature.

"Whereas the Harris government's plan to privatize and deregulate Ontario's electricity system will lead to higher rates because private owners will sell more power to US customers whose rates are typically 50% higher than Ontario's; and

"Whereas selling coal plants like Nanticoke to the private sector will lead to more pollution because the private owners will run the plants at full capacity to earn a profit; and

"Whereas electricity deregulation in California has led to sky-high rates and blackouts; and

"Whereas Ontario needs a system of public power that will ensure rate stability, environmental protection and secure access to power;

"Therefore, be it resolved that the undersigned call on the government to scrap electricity deregulation and privatization and bring in a system of accountable public power. The first priority for such a public power system must be incentives for energy conservation and green power. Electricity rates and major energy projects must be subject to full public hearings and binding rulings by a public regulator instead of leaving energy rates to private profit."

This has been signed by dozens of citizens and individuals across Ontario and I have affixed my signature to it as well.

## EDUCATION TAX CREDIT

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I am pleased to present a petition to the Legislative Assembly of Ontario that reads as follows:

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

I affix my signature.

#### NORTHERN HEALTH TRAVEL GRANT

**Mr Rick Bartolucci (Sudbury):** On the one-year anniversary of Ontarians Seeking Equal Cancer Care, I am proud to read the following petition into the record:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

"Whereas we support the efforts of OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I proudly give these to Anthony Gras, our page from Sudbury, Ontario, to deliver to the desk, and I of course affix my signature as I'm in complete agreement.

1540

#### HOME CARE

**Ms Frances Lankin (Beaches-East York):** "To the Legislative Assembly of Ontario:

"Whereas the Ontario community care access centres deliver vital home care services to seniors, the disabled and those discharged from hospital so they can remain in their own homes; and

"Whereas the Ontario community care access centres need an additional \$175 million from the Ministry of Health this fiscal year just to deliver their current level of health care services; and

"Whereas the Ministry of Health has refused to fund this necessary increase and has further failed to provide the CCACs with equity funding last year and this year, despite a 1998 promise by the former Minister of Long-Term Care, Cam Jackson, to do so; and

"Whereas this deliberate underfunding by the government of CCACs has forced the CCAC boards to adopt a deficit-reduction plan which severely reduces the home care services they provide; and

"Whereas this reduction has a drastic impact on clients who cannot afford to pay for these services and will be forced to go without necessary home care;

"Therefore, be it resolved that the Conservative government immediately fund the additional \$175 million requested by the Ontario CCACs this year and, further, provide the equity funding that was promised in 1998."

This is signed by people in support of the East York, Toronto and Scarborough CCACs, and I have affixed my signature in support as well.

#### ELECTRICITY GENERATING STATION

**Mrs Margaret Marland (Mississauga South):** This is a petition on behalf of the residents of Mississauga South and Oakville. It was tabled with the Speaker, who is unable to present petitions, and I'm happy to present it on his behalf and also on my own as the member for Mississauga South.

"Whereas Sithe Energies Canadian Development Ltd is actively pursuing the development of an 800-megawatt electricity generating facility;

"Whereas the 14-hectare parcel of land on which the station is proposed is located on the east side of Winston Churchill Boulevard in the Southdown industrial district of Mississauga;

"Whereas Sithe has stated its commitment to an open dialogue with communities where it has a presence and to being responsive to the concerns of the same; and

"Whereas the government of Ontario has a responsibility to ensure the safety of Ontario citizens and to determine how this facility will impact those who live in its immediate surrounding area,

"We, the undersigned, petition the Parliament of Ontario as follows:

"That the government of Ontario direct the Ministry of the Environment to undertake a formal environmental assessment of the Sithe project."

I'm happy to have signed this petition and support it wholeheartedly.

### SAFE STREETS LEGISLATION

**Mr Richard Patten (Ottawa Centre):** I have a petition from the good people of Chesterville and Winchester, Ontario.

"To the Legislative Assembly of Ontario:

"Whereas the squeegee kid law was set up to stop squeegee kids from hassling motorists, we believe that the law has gone too far; it has now stopped the Lions Club of Chesterville ... from raising money for the Children's Hospital of Eastern Ontario.

"The law has to be changed to exclude all non-profit organizations, otherwise the various fire department fundraisers, fundraising parades etc will have to cease and desist immediately;

"We, the undersigned, petition the Parliament of the Legislative Assembly of Ontario as follows:

"To rewrite the squeegee kid law, to exclude all non-profit organizations."

I have about 500 signatures from the good people of Winchester and Chesterville, and I affix my signature to this as well.

### HOME CARE

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the need for home care services is rapidly growing in Ontario due to the aging of the population and hospital restructuring; and

"Whereas the prices paid by community care access centres to purchase home care services for their clients are rising due to factors beyond the control of community care access centres; and

"Whereas the funding provided by the Ontario government through the Ministry of Health and Long-Term Care is inadequate to meet the growing need for home care services; and

"Whereas the funding shortfall, coupled with the implications of Bill 46, the Public Sector Accountability Act, currently before the Legislature are forcing CCACs to make deep cuts in home care services without any policy direction from the provincial government;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) That the Legislative Assembly direct the provincial government to take control of policy-setting for home care services through rational, population-based health care planning rather than simply by underfunding the system; and

"(2) That the Legislative Assembly direct the provincial government to provide sufficient funding to

CCACs to support the home care services that are the mandate of CCACs in the volumes needed to meet their communities' rapidly growing needs; and

"(3) That the Legislative Assembly make it necessary for the provincial government to notify the agencies it funds of the amount of funding they will be given by the government in a fiscal year at least three months before the commencement of that fiscal year."

This is signed by 1,738 constituents in the riding of Nickel Belt. I agree with the petitioners and I have signed it as well.

### PROTECTION OF MINORS

**Ms Marilyn Mushinski (Scarborough Centre):** I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas children are being exposed to sexually explicit materials in many commercial establishments;

"Whereas many municipalities do not have bylaws in place to protect minors, and those that do vary from place to place and have failed to protect minors from unwanted exposure to sexually explicit materials;

"Whereas uniform standards are needed in Ontario that would make it illegal to sell, rent, loan or display sexually explicit materials to minors;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass Bill 95, Protection of Minors from Sexually Explicit Goods and Services Act, 2000, as soon as possible."

I'm pleased to affix my signature to this petition.

### WATER EXTRACTION

**Mr John Gerretsen (Kingston and the Islands):** I have a petition here which is addressed to the Legislative Assembly of Ontario.

"Whereas we, the residents and cottagers of Bob's Lake, strenuously object to the permit issued by the Ministry of the Environment to OMYA Inc to remove 1.5 million litres of water per day from the Tay River, without adequate assessment of the consequences and without adequate consultation with the public and those people and groups who have expertise and interest in the area; and

"Whereas it is our belief that this water taking will drastically impact the environment and seriously affect the water levels in Bob's and Christie lakes. This in turn would affect fish spawning beds as well as habitat. It would also affect the wildlife in and around the lakes;

"Whereas Bob's Lake and the Tay River watershed are already highly stressed by the historic responsibility of Parks Canada to use Bob's Lake as a reservoir for the Rideau Canal; and

"Whereas the movement of water from the lake through the watershed for navigation purposes in the canal provides sufficient stress and problems for the lake.

This water taking permit will only compound the stresses on the waterway;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We request that this permit be rescinded until a comprehensive evaluation of the impact of water taking by OMYA Inc on the environment, the water levels and the water needs of these communities is complete. An independent non-partisan body should undertake this evaluation."

I agree with the petition and I've signed it.

#### PERSONAL NEEDS ALLOWANCE

**Mr David Christopherson (Hamilton West):** I have further petitions from the Hamilton second level lodging home tenants committee. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas individuals who are tenants (residents) in facilities such as care homes, nursing homes or domiciliary hostels under certain acts are provided with a personal needs allowance to meet incidental costs other than those provided by the facility; and

"Whereas the personal needs allowance has been fixed by the Ontario government at a rate of \$112 a month for nearly a decade and has not kept pace with cost-of-living increases, and furthermore is inadequate to meet incidental costs such as clothing, hygiene products and other essentials;

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately review and amend provincial legislation to increase the personal needs allowance from \$112/month to \$160/month for individuals living in care homes, nursing homes or other domiciliary hostels."

On behalf of my NDP colleagues, I add my name to this petition.

#### VISITORS

**Mr Bob Wood (London West):** On a point of order, Mr Speaker: I know the House will want to welcome Suzanne McLachlan, Scott Berry and Terence Nakagawa. They are here for a conducted tour of the Legislature, done by the member for London West. They are receiving that as a result of a substantial donation to the Federated Health Campaign.

1550

#### ORDERS OF THE DAY

##### GOVERNMENT EFFICIENCY ACT, 2001

##### LOI DE 2001 SUR L'EFFICIENCE DU GOUVERNEMENT

Resuming the debate adjourned on June 13, 2001, on the motion for second reading of Bill 57, An Act to

promote government efficiency and to improve services to taxpayers by amending or repealing certain Acts /  
Projet de loi 57, Loi visant à favoriser l'efficacité du gouvernement et à améliorer les services aux contribuables en modifiant ou en abrogeant certaines lois.

**The Speaker (Hon Gary Carr):** Pursuant to the order of the House dated June 20, 2001, I am now required to put the question.

Mr Newman has moved second reading of Bill 57. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

"Pursuant to standing order 28(h), I would like to request the vote on the bill, An Act to promote government efficiency and to improve services to taxpayers by amending or repealing certain Acts, be deferred until Tuesday, June 26, 2001." It is signed by the chief government whip. Therefore, that vote will be deferred.

#### PUBLIC SERVICE STATUTE LAW AMENDMENT ACT, 2001

#### LOI DE 2001 MODIFIANT DES LOIS EN CE QUI A TRAIT À LA FONCTION PUBLIQUE

Mr Tsubouchi moved third reading of the following bill:

Bill 25, An Act to amend the Public Service Act and the Crown Employees Collective Bargaining Act, 1993 /  
Projet de loi 25, Loi modifiant la Loi sur la fonction publique et la Loi de 1993 sur la négociation collective des employés de la Couronne.

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet):** Mr Speaker, I'd like to share my time with the member from Kitchener Centre.

This government continues to meet the challenges of the 21st century. We are committed to the prudent management of the resources entrusted to us by the people of Ontario and to do so in a responsible and efficient manner.

We have made a firm commitment to manage government resources in a more businesslike way, be more accountable and report back on how we manage tax dollars. To give you just a few recent examples, every year since 1995 our government has tabled detailed business plans for each ministry; all business plans have now been tabled for the upcoming year and in fact are now available on our Web site.

Public institutions spend billions of taxpayer dollars every year, yet people have little recourse to ensure that this money is being spent in a responsible manner. That is why we have introduced measures to empower the Provincial Auditor to ensure that institutions funded by the Ontario taxpayers use their money wisely; to require that universities and colleges are now required to provide

students with accurate information on student loan default rates, graduation rates and employer satisfaction rates; and to require school boards to report annually on how they use their funding, and that the results be published.

Bill 25 is also part of meeting the government's commitment. This government has been, and continues to be, a prudent manager of our province's resources. It was our commitment in 1995 and then again in 1999, and it is a fundamental concept in the way we do business. We are obliged to manage the resources in a responsible and effective manner and in a way the people of Ontario not only deserve but have come to expect.

Part of our promise is getting the most value for money spent. That means making wise decisions and sometimes making tough choices. As you know, the province of Ontario offers some of the best services in the world. They are fair, equitable and provide essential elements of what people in this province need. They make Ontario the best place to live, work and do business. But we must not be content with that.

We live in a world that is faster, more dynamic, and which demands more flexibility than ever before. The policies and practices of today's government must meet those challenges or we will all get left behind. To do this, we must modernize the contextual framework in which we operate. The civil service must become the most efficient it can be. We must get more value for our dollar, and we can only do this by taking a comprehensive approach to the way we deliver quality services for the taxpayers, for the people of Ontario.

We need more co-operation, collaboration and a more coordinated approach.

As it exists now, the Public Service Act does not allow the civil service the flexibility to take out the waste that exists in overlap between ministries. Joint ministry programs and offices are just not possible or efficient under the current act. There's no logical reason at all why, and certainly why further savings should not be pursued. This bill, if passed, will improve efficiency, maintain accountability and bring some democracy to the workplace.

I want to address that point in particular, and I want to speak to one of the key components of the proposed legislation: our proposed amendments to the Public Service Act that will increase workplace democracy for the civilian employees of the Ontario Provincial Police.

It is, of course, a matter of fundamental fairness and democracy that employees should have the right to choose which organization will best represent them. Let me emphasize the key word here, which is "choice." The government is not telling a group of employees that they shall belong to this association or that union. It is not telling them they may not be associated with any particular trade union. If passed, this legislation would allow working people a choice. We are saying, "We're not going to state a preference. It is a matter for you to decide, and we want to allow you the opportunity to make that choice."

Let me review for members of the House what this section of the bill means. It would allow civilian em-

ployees of the OPP to evaluate whether their current bargaining unit properly represents them. These employees perform important roles for the OPP, such as forensic sciences, administration and mechanical work. The OPPA will have to show the labour relations board that they have adequate support to bring about a vote on whether the OPP civilian employees want to join the OPPA. If these civilian employees are not happy with their bargaining unit and the OPPA shows the labour relations board that they have sufficient support, they could vote on whether to join the OPPA. Each member would be free to vote their conscience in a secret ballot. It would be a fair process that meets the same standards of the Ontario Labour Relations Act and would be overseen by the Ontario Labour Relations Board. The standards for these employees to leave their current bargaining unit and join the Ontario Provincial Police Association would be consistent with those in the Ontario Labour Relations Act.

As we have stated, the proposed amendments to the Public Service Act will permit civilian employees of the Ontario Provincial Police to join the Ontario Provincial Police Association.

As members also know, this component of the legislation is in direct response to the hundreds and hundreds of OPP civilian employees' requests that have been made. They want to be given the freedom to choose who will represent them. They want to be given more choice about how their relationship with their employer is structured.

This is a unique situation. Civilian employees of municipal police forces are represented by their respective municipal police associations, but the current legislation does not permit a similar situation with the Ontario Provincial Police. In fact, this is the only situation for any police service in this province in which the civilian employees of that police service are not represented by the police association.

By extending workplace democracy to OPP civilian employees in the public service who are currently barred from selecting the OPPA as their bargaining unit, this government is showing that it values an individual's right to choose.

Hundreds of these employees have expressed their wish to have the opportunity to make that choice. If they do choose to go under the OPPA, that would allow them to be in the same situation as their municipal police sector counterparts. Under the Police Services Act, civilian employees at municipal forces are represented by their respective municipal police associations.

At public hearings for this bill, some of the employees told us the OPPA would better represent their interests to the employer. They feel the association more fully understands the unique environment of police services, and they feel they should at least be able to have the choice of which organization represents them. Again, we as a government are not prepared to pass judgment on this. We do, however, wish to provide the employees with the opportunity to choose on their own.

Legislative amendments to the Public Service Act would provide the OPP civilian employees with a democratic choice. It is a matter of fairness and openness in the workplace that employees have the right to be able to choose the bargaining agent that best meets their needs.

1600

This is a proposed updating of the Public Service Act, not a complete overhaul of the legislation. The Management Board Secretariat consulted with the ministries and bargaining units late last year on a number of items that were identified as needing an update. Updating the Public Service Act removes barriers that hinder government and adopts the dynamic needs of the people of Ontario. It enables us to move with the times and establish practices that reflect upon those that are commonly used in the modern workplace.

The changes we are proposing will help the Ontario public service continue to provide the quality service the public has come to expect and which we have promised to deliver.

**Mr Wayne Wettlaufer (Kitchener Centre):** On April 30 this year we introduced amendments to the Public Service Act. It has been more than 40 years since the act's last substantial update, and the legislation itself dates back more than 122 years and parts of it no longer meet current and future business challenges. This government recognized that this piece of legislation needed updating to strengthen the efficiency and accountability of the Ontario public service in the modern era. That's why we have taken decisive action to update this act.

As the main legislative framework for human resource management in the Ontario public service, the act sets out the authority for activities in areas such as recruitment, conditions of employment and rules of conduct. It governs the employment of all civil servants, unclassified public servants and crown employees designated under the act.

Accountability defines what good government is all about. Reviewing the Public Service Act and making amendments which support the demands of today's evolving business needs is part of our government's commitment to be more accountable. In the past 40 years the world has changed radically in the way it does business. Partnerships, the use of technology and a fast pace are the norm. If government fails to recognize and adapt to these changes, it fails to meet the needs of the people it serves.

This is part of being accountable. It is making the changes that need to be made to make the best use of the hard-earned tax dollars of the people of this province. After all, we must never forget that the money we spend was earned by someone else: the taxpayer. We must remember that government is here to serve the people, not the other way around. This legislation is action—action to make sure that our workforce is in a position to deliver quality services that the public expects and the public deserves.

Changes in the bill allow for greater delegation of Civil Service Commission and deputy ministers' powers

and duties, including situations where these powers will be delegated to non-public servants. Greater delegation of deputy ministers' powers will remove barriers to cross-ministry initiatives and partnerships with other governments and the private sector. As the government continues to explore partnerships with other governments and the private sector, changes to the Public Service Act will allow the government to become more flexible and remain accountable to the taxpayers.

The efforts we have put forward are substantially updating the act. They will help ensure that proposed legislation supports what taxpayers expect from their government: top-quality services with the best value for the dollar. The legislative changes we are looking at will help the public service deliver the top-notch services the people of Ontario demand. The changes will provide more efficiency and flexibility and ensure that we have a workforce that can respond to changing business needs.

Accountability, efficiency and democracy: they are the cornerstones of these legislative amendments. We cannot meet the needs of the people of Ontario if we are not flexible enough to adapt to their changing needs. We cannot be efficient if we do not modernize employment and recruitment practices. We cannot be democratic if we do not give people a choice.

As you know, the Ontario public service is experiencing challenges attracting and retaining the talented and skilled people we need for time-limited, project-based work. This issue is particularly acute in executive recruitment in specialized areas such as information technology. We have an obligation to recruit and retain the best employees possible to deliver our programs and services. At the same time, we need to have a flexible workforce to support time-limited initiatives. New provisions in the bill will help us do that. They include increasing initial appointments to the unclassified service up to a maximum of three years before renewal is required. Current provisions limit initial appointments to the unclassified service to one year. Increasing the initial term of appointment will make the public service a more attractive workplace to external workers and help us retain the skills necessary to deliver the services the public needs and deserves.

New provisions also include creating a category of term-classified employees. Ministries will be able to hire these employees in exceptional circumstances where highly specialized skills are needed for time-limited project work. These are special positions designed to supplement and enhance the classified public service, not replace it. Term-classified employees may be appointed for up to three years, with the opportunity to renew their contracts for an additional period of time. This will allow ministries to recruit individuals with the required skills and make offers for temporary positions more attractive. Hiring employees for specific terms is an example of how we can remain committed to meeting the needs of taxpayers. By removing unnecessary layers of bureaucracy, we can focus on delivering our services to the public.

What about giving senior bureaucrats the ability to make quicker decisions? Part of the legislative updates to make the Ontario public service more efficient includes providing greater flexibility to civil servants' reporting relationships while at the same time remaining accountable to the taxpayers. This includes situations in which deputy ministers will be allowed, subject to the approval of the Civil Service Commission, to *delegate their* authority under the Public Service Act to non-public servants. I want to repeat that: it includes situations in which deputy ministers will be allowed, subject to the approval of the Civil Service Commission, to delegate their authority under the Public Service Act to non-public servants.

We are not trying to replace the Civil Service Commission. We are not trying to replace the conditions in the collective bargaining agreements. Currently, a deputy minister may only delegate his or her authority to a public servant in his or her ministry. This limitation was identified as a barrier to cross-ministry initiatives and partnerships with other governments and the private sector. For example, government information centres across Ontario are currently staffed by people from several ministries. Enabling all those employees who work at the same location to report to one supervisor instead of several is common sense. It's what these employees want; it's what the Ontario public wants. They can't understand why you have three or four or five employees all reporting to different supervisors.

I want to be clear: allowing greater delegation of a deputy minister's authority doesn't mean we are reneging on our commitment to be accountable to taxpayers. We may be delegating authority, but our government is still ultimately responsible. In fact, the new provisions in this bill will allow public servants to be managed more effectively when working in these partnership arrangements. The proposed amendments to the Public Service Act will also help us deliver better services to the public. They will assist the public service in delivering services the taxpayers of this province expect and deserve.

**1610**

The OPS, the Ontario public service, has been experiencing increasing challenges in recruiting and retaining managers and skilled workers—and I want to emphasize again skilled workers. These legislative changes will allow us to make more attractive job offers to new workers with the specialized skills we need. Ultimately that means better and more efficient service delivery to the people of Ontario.

Updates to the act include increasing initial appointments to the unclassified service up to a maximum of three years before they are renewed, instead of one year, as I said before, under the present legislation. The bill will create a category of term-classified employees, helping ministries to recruit workers with highly specialized skills for time-limited project work.

Our government has been exploring and continues to explore partnerships with the broader public service and also the private sector. We do that to provide better

service to the people of Ontario and to make sure we are using tax dollars appropriately and effectively. With the creation of SuperBuild, Ontario has signalled its intention to increase its use of public-private partnerships and to provide the best value for Ontario taxpayers. But the civil service can only improve its services if it has the flexibility to build working relationships. We feel these proposed amendments provide the framework of a more flexible, accountable and efficient public service.

Excellence in public service is something our government places a very high priority on. Delivering quality service is something the people of Ontario expect and deserve from their government. We believe the public has the right to expect consistent quality service from the Ontario public service. The public expects the government to be consistent and professional.

Toward this end, the Ontario public service continues to implement a quality service strategy and has established consistent service standards for phones, mail, in-person services and feedback or complaint handling across the public service. Performance against service standards has been and will continue to be measured. In fact, we have taken several steps to improve the way we deliver services. For instance, in a recent independent survey measuring more than 7,000 public contacts with our government, we showed considerable progress in improving service in just one year. We are committed to doing better and expect our dedicated staff to continue to build on improvements in serving our public.

Our government's throne speech implementing the 21 steps into the 21st century outlined specific further action we are taking to improve customer service and to become a world leader in electronic service delivery in order to provide Ontarians with the best possible public services. As part of this commitment we also announced this past April that our government will measure our own performance, including that of our senior management, based on service delivery and customer satisfaction.

The amendments we are talking about today enhance accountability and efficiency in the Ontario public service. They give the government the flexibility to grow our strengths and bring new vitality and wisdom to the services we provide to the public. They are an essential tool that will help us bring the Public Service Act into the modern millennium. They are guaranteed to meet our requirements of customer satisfaction and to meet what the customer is demanding.

I do want to point out that the NDP, when they were in government, commissioned a report in 1992. In 1993 the study found—and I'm going to quote: "Against a backdrop of economic constraint, multiple demands on resources and increasing complexity of our services, we must examine our business practices to ensure their effectiveness and efficiency in meeting our customer service needs. We must find more efficient ways of financing our business by redeployment of resources, by streamlining of organizations and by employing appropriate technology."

"Our vision must be to commit to high-quality service delivery that achieves the best value for tax dollars

anywhere. The leadership challenge to accomplish this mission is large. We must accept it. Ministries and central agencies must work together to set priorities, remove barriers and undertake bold strategies to meet the service expectations of our customers. Ontario's citizens deserve no less."

That report was presented by Glenna Carr, secretary of Management Board of Cabinet, in her foreword of *Best Value for Tax Dollars: Improving Service Quality in the Ontario Government*, 1993. That was during the NDP government. So it has taken eight years for us to get to this point. And what we have found is that in spite of our best efforts in a non-confrontational way, in what should be non-controversial legislation producing what even the NDP government knew, we are finding that the Liberals and the NDP are trying to explain that the sky will fall if we implement these changes.

One of the parts of this legislation—

**Mr Bart Maves (Niagara Falls):** They say that about all legislation.

**Mr Wettlaufer:** Well, they do. I say to the member from Niagara Falls that they do say that about every piece of legislation we introduce. You're absolutely right.

One part of this legislation deals with allowing the civilian employees of the OPP to select the employee association of their choice. Presently, they must belong to OPSEU. There are 2,500 civilian employees in the OPP. By their own admission during committee hearings last week, 1,000 of the civilian employees have sent letters to the government requesting a change, that being to allow them to join the OPPA. One thousand of 2,500 sent letters asking us to change this legislation.

We understand from a number of them who presented to the committee—Diane Davies, who is a representative for OPP civilian employees at general headquarters, and Cindy Bahm and Yolanda Sunnerton—that they want to join the OPPA and that they represent a number of OPP civilians who support the bill. Basically, they feel they don't have choice, that it's a matter of democracy in the workplace. They also feel, and I'm going to quote from Cindy Bahm's presentation to the public hearing last week, "... the safety of all citizens was jeopardized by a limited number of dispatchers being expected to work beyond their capabilities in addressing reported emergencies and by the lengthened response times of uniformed officers responding to calls for assistance because of picketers preventing safe passage through picket lines." This was during March 1996, when OPSEU insisted they join the OPSEU strike.

I think it's important to remind the two opposition parties, as well as the people of Ontario, that this is about democracy in the workplace. We heard from Leah Casselman and from Denis Perreault, both of whom represent OPSEU. They said that democracy in the workplace would be denied by changing this legislation.

1620

I guess democracy is how they define it if they say democracy is going to be denied, because democracy, we understand, is giving someone a choice, having the free-

dom to choose. Maybe to OPSEU that's not democracy, but certainly to the civilian employees of the OPP it is democracy.

The NDP presented a motion amending the bill, and through some negotiation with the NDP, we did allow that motion. Hopefully, if this bill becomes law, this motion will also be part of the law, and that is that medical information would not be disclosed if that medical information is from a qualified medical practitioner. This is something that both opposition parties had talked about, that they felt that the bill was not clear in disallowing medical information to be disclosed. We accept that, and we've allowed this to go through.

The one thing I did note, both during debate in second reading and also in committee, was that the Liberals presented a number of amendments, but their amendments were all designed to disallow a deputy to delegate any authority to another person or persons. That's bothersome because what this means to me is that they want to continue the red tape and the bureaucracy. In other words, if we have employees from one ministry working in conjunction with another, being transferred into another one, then the new ministry is not going to be able to delegate any power to that individual. In fact, I would say it even goes so far as to say that the new ministry wouldn't be able to supervise that employee. In other words, if we need employees in the new ministry, under the Liberal amendments we would have to hire more employees to serve in this ministry; in other words, increasing the size of the public service again. What does that do? Those positions would tend to be permanent.

We have said we want the ability to hire term-limited employees for up to a three-year period. That will attract some top-quality personnel.

**Ms Caroline Di Cocco (Sarnia-Lambton):** It's temporary.

**Mr Wettlaufer:** It is temporary, I say to you. Yes, I say to the Liberals, of course it's temporary. The people of Ontario don't want us increasing the size of the public service unnecessarily. If we only need 50,000 or 60,000 or whatever number of public servants on a permanent basis, why would we increase the size of the public service to 100,000, thereby increasing the cost to the taxpayer for some 30,000 or 40,000 or 50,000 employees? It simply isn't necessary any more to have a bloated bureaucracy in this province—not that it ever was necessary before, except the two previous governments thought it was. We really feel that in order to respond to the demands of the Ontario public, we must have this flexibility.

We did hear a number of other objections from OPSEU and CUPE during the committee hearings. Again, it sounded to me like it was preservation of the status quo. I can appreciate if you have an interest that you want to preserve that, but the status quo is no longer applicable in government. It hasn't been applicable in business for some 15 years. Why would anyone expect that government would maintain the status quo? That's the reason that our taxes were so high in this province.

As a former business person who had a responsibility to employ people and try to maintain their jobs, taxes—taxes—were one of the reasons why I could not necessarily increase my staff. I had to give a lot of consideration before I would take on another employee.

So costs reflect immediately on taxes in this province. We want to provide jobs, and we already know from the experience of the last six years that lower taxes do, in very large part, contribute to increasing the number of jobs; 846,500 net new jobs have been added in this province since 1995. There will be some on the opposite side of the House who will say property taxes are going up for certain people. I would remind you, Speaker, and I would remind them that property taxes aren't set by the government. Assessment may be set by the government, but the tax rates are set by the municipalities, not by the government.

On that note, I will defer.

**The Deputy Speaker (Mr Michael A. Brown):** Further debate?

**Ms Di Cocco:** It's with great pleasure that I stand and speak to Bill 25, the Public Service Statute Law Amendment Act, An Act to amend the Public Service Act and the Crown Employees Collective Bargaining Act, 1993. This bill does certainly amend the Public Service Act, but it does so to make it easier for the government to contract out parts of the public service to the private sector. Of course, what this means is that there are more public dollars going to private contracting firms. The way our regulations are today, we have no change in the Audit Act which would require that the auditor could see if we do get value for our money. So, we have no ability today in this Legislature to actually get more accountability. I've heard the member from Kitchener Centre consistently talk about accountability, but in actual fact, the more we contract out to the private sector, the less our auditor in Ontario has the ability to actually assess whether or not we're getting value for money.

The issue here as well is that the proposed section 23 of the act extends the deputy minister's power to delegate his or her powers to any public servant or class of public servant or, with approval of the Civil Service Commission, to any other person, and permits the deputy minister to delegate his or her powers under the regulations to make rules and requirements. A deputy minister, in the history of the public service—by the way, which is an honourable history, because there is a great deal of expertise that's developed over many, many years. An ability to be able to delegate powers, and also for regulations, to make rules and requirements, to any other person: how do we know whether or not that person has the expertise to do the job? We don't know that.

1630

I have to say at the outset that we, the Ontario Liberals, definitely oppose the bill. The Harris government consistently is privatizing and contracting out public service, and some of the things, like environmental protection and public safety, in my view are much too important to be dealt with by a private company whose

interest is profit, not necessarily the public good. Let's remember that public dollars are going in to private hands without accountability measures from the auditor. The auditor cannot assess whether or not we have any kind of scrutiny or value for money in this regard.

The words I hear all the time are "accountability," "efficiency" and "democracy." Somehow this government equates changing the rules, privatizing and contracting out with the way to gain these things. Accountability and good government mean that the management of that public service—note the words "public service." They are there to serve the public. Private contractors, in many cases, are not there to serve the public. They have a different quality, if you want. They are there to make money, they are there to make a profit, and they are not necessarily there for the public good. Maybe that might be a result in the long term, I'm not sure, but certainly they do not have the same calling that the public service has.

We talk about attracting and retaining public sector employees. Considering the track record of this government over the past six years, it's no wonder we can't attract and retain public sector employees. This government has shown a contempt for the public sector at every turn. We heard today from the Ontario medical officer of health, and what did he say? That the Premier turned his back on his suggestions, on his advice, because, you see, there is a contempt from this government toward the public service.

They say we have these unnecessary layers of bureaucracy. We know what this government wants to do when it comes to the rules and regulations that are put in place to protect the public interest. What they want to do with that is of course take away all the red tape, because as we've known and as the honourable member Mr Conway suggested, the Red Tape Commission is there to do that, to make it an easy ride and take away a lot of the environmental restrictions so that we can take down barriers, as was stated before. We can remove barriers for those who are polluting, for businesses that are in the business of—hey, importing of hazardous waste is the best one. Let's remove the barriers. After all, we want hazardous waste. We want to do business in hazardous waste. Why wouldn't we? After all, it has no long-term impact.

I wish the minister would come down to St Clair township and take a look at the site that they expanded in 1997, and take a look at what's happening down there without the rules and regulations in place to ensure that the environment and public health and safety are protected.

Again, I will state that unfortunately, with the contents of this bill, all this bill will do, in my humble opinion, is lead to an increase in the number of contract workers employed by the Ontario public service. In my view, it's nothing more than putting out more public dollars to the private sector without true accountability, because there is no ability for the auditor—and I'll say this again: he does not have the mandate to actually ensure that we're

getting service for our money. Unfortunately, the government doesn't really look at the impact of their decision-making when it comes to these things; all they do is look at the bottom line. If the bottom line is suggested to be better, "Let's just throw everything out, and we'll be able to ensure that we can privatize, save money," and the public good goes out the window with that.

I'm going to share my time, and I will leave it at that. The member for Prince Edward-Hastings will continue this part of the debate.

**The Deputy Speaker:** Further debate?

**Mr Ernie Parsons (Prince Edward-Hastings):** It is my pleasure to speak to Bill 25, An Act to amend the Public Service Act and the Crown Employees Collective Bargaining Act. Now, the public, when they first read that title, probably say, "That's nothing to do with me; it has something to do with the civil service." I can assure them that if it affects the civil service, it affects the service delivered to them.

I, first of all, wanted to compliment the members of the government on their speeches on this. It must be very difficult to keep a straight face while they're reading some of that material, but they are. They've been able to do it very well. That has to be difficult: to actually appear to condone what they're actually saying.

We hear on every debate with a number of bills how it's going to improve the service. Everything is improving the service to the people of Ontario. I think the people of Ontario need to maybe sit back and say to themselves, "This government has now been in office for six years. Is the education system in Ontario better than it was six years ago?" I would say no; I would say it is in crisis. "Are the hospitals better than they were six years ago?" Actually, there's \$100 million less going into hospitals this year than last, and last year was a crisis. "Is the doctor supply in Ontario better than six years ago?" No. "Is the number of nurses in our hospitals better than six years ago?" No. "Is our drinking water safer than it was six years ago?" No, it isn't. "Is this a better Ontario to live in for persons with disabilities than six years ago?" No, definitely not. "Is the transportation system better in Ontario? Is it easier to drive through Toronto, now that this government has pulled all the money away from the public transit?" No, I think we're seeing gridlock. The one good side, I guess, is that the number of accidents on the expressways is going down because cars that are parked really can't do damage to another car.

"Are the property taxes lower in Ontario than they were before?" No, they're not. I know that we've been assured that the province doesn't set property taxes, or so it would like us to believe; that it just sets the assessment. I can assure the members of the public that this government indirectly very much controls property taxes when they download and download and download to municipalities. Municipalities are faced with mandated services and mandated standards, and they have no choice but to tax to deliver that mandated service.

Property taxes should particularly concern people, because they're insidious in that with income taxes, which is the way we used to pay for ambulances and the way we used to pay for social housing, when a person retires and their income goes down, the income taxes go down. Property taxes are no respecter of a person's income, so an individual who is retiring or is on a fixed income will be faced with the same high level of taxes as when they were working. So it is in fact quite an insidious way of taxing seniors under the guise of calling it property taxes, rather than income tax.

We also hear a great deal from this government about accountability. They're going to make everybody accountable. School boards are going to be accountable. My recollection on my years on the school board was that every year we published full newspaper ads with every financial detail that the board had entered into over the past year. I can also assure you that parents keep schools and school boards accountable. Municipalities are accountable. Municipalities, with their elected councillors, as anyone who's in this chamber who has ever been elected as a municipal official will tell you, the public stops you on the street and either questions you or makes suggestions. They indeed have been very accountable.

It's a smokescreen when this government talks about accountability, because this bill is a privatization bill. As we move toward privatization, we decrease accountability, if for no other reason than that items available that are government operated under freedom of information are not available to the public when they are part of a private corporation. So the public actually has less access to information from this government as the years go by rather than more access. It is ironic to me that as they purport to increase accountability, they in fact are substantially decreasing it.

1640

The other aspect of accountability, if I can again go back to someone such as a councillor or a school board trustee—and we'll focus on council now because school boards lost the ability to reflect their local needs. For municipal councils they dread putting on a tax increase. I don't believe there's any municipal councillor who ever went to a meeting and said, "Let's try to get the taxes up a little bit tonight. I'm interested in some angry phone calls over the next week." Municipal councillors have consistently and without exception striven to keep taxes down.

In contrast to that, a private corporation—this government is wishing to privatize the water supply systems. A member of a public utilities commission or city council did not want to increase water rates because they were accountable to each and every citizen in that community. A private water system, on the other hand, is not at all accountable to the local citizens but is accountable to its owner or shareholders or the out-of-country company that actually owns it. So the accountability is totally eliminated and the pressure to keep rates down is totally eliminated.

If we hear, as we have heard in the last hour, about the advantages of privatization, let's look at how it's worked in the last six years. I think we are best served in where we're going in the future by looking at our history. Let's look at the past six years' history. We have eliminated the public operation of the maintenance crews and the snowplowing on our highways. We've gone to private contractors. It used to be a mix. A long time ago when I was a Ministry of Transportation employee, about 50% of the work was done by public employees and about 50% was done by private contractors, primarily over the winter. When the construction was slow and they had the equipment, they'd come in and plow.

Now we've gone to a privatized operation on it, and the auditor found out that in fact the costs went up by 4%; they didn't go down. I guess there's got to be a profit factor in there. Did the service get better? They drew up a most intriguing contract with the private operators. For one thing, they almost gave away all of the equipment. I don't understand why we had perfectly good equipment that was given to the contractors. Then the contractors entered into an agreement with the province that paid them so many dollars for plowing the snow in winter. It didn't pay them so much per hour, it didn't pay them so much per snowstorm; it simply paid them.

I did snowplowing at one time. When you have a snowplowing contract, if you have a fixed price, either you or the client are going to be beaten. If there's a lot of snow you're going to get beaten; if there's no snow, the client gets beaten. The fairest contract is by the hour. This province entered into it such that the private operators get paid the same number of dollars whether the snowplow ran 24 hours a day or whether it never turned a wheel. That is not fiscal responsibility in any way, shape or form. That's their record on that.

The Ministry of the Environment: we've got an inquiry going on at Walkerton right now to examine the problems that lie with the privatization of that. I think that's enough said.

For the Ministry of Community and Social Services, we are seeing that system now run by a private company. It was called Andersen and they've changed their name, probably to protect something, but they've changed their name. It's an intriguing system there. We've talked to and I've talked to individuals who are employed by community and social services who have come up with a way that would actually improve the service to the clients. But the consulting firm said no, because the improvement would result in perhaps some more money going to children or money going to the disabled. Andersen has the veto control to say, "Our profit comes from the savings on this and we'd sooner the money went back to the US rather than to a child's breakfast." So we're seeing Andersen Consulting making their money off the backs of our vulnerable citizens, and we call this an improvement? Not by any shape or means. That's not an instance I hope this government would ever use as an example of privatization.

Driver testing is going to be privatized, and this government actually had the effrontery to tell employees

of the ministry that they were being laid off before the legislation had even passed. This is democracy in action? I don't think so. They at least should have had the decency to allow it to be debated and then passed.

At the present time, the pressure on these public servants is to make sure that anyone who passes the driver's test is able to be a safe driver on the road, to protect themselves and to protect others. When we look at the American models where they have privatized driver testing, the pressure is to make money; the pressure is to get as many people through—or to get the same person through three or four times. There was a reason that we had the public service in Ontario doing this, as there is for everything.

For our water systems, the supply of water, many of the water systems in the US are private water systems. I accept that; however, a survey I did of the rates indicated that their prices were not anywhere near as competitive as ours are. There are certain basic items that we need to provide to the public, that are an absolute necessity of life. Water should not be a privatized, profit-making item. Water is a necessity for us.

Where we have seen privatization take place that has purportedly saved costs, it has saved costs on the backs of the lowest-income earners in the province. We have seen instances where the government has got rid of employees who cleaned and maintained buildings and replaced them with private firms, and in many cases they turn out to be the same individuals, working for less money. This bill just provides one more brick in the wall that this government is building between the well-to-do and the disadvantaged.

Privatization makes winners and losers. The winners are all too often the large corporations; the losers are the people of Ontario when they lose that valued public service, such as the public ambulances. The ambulance system we have in this province is the envy of the world. No matter whether you're in Kenora or Belleville or Picton or Windsor, you know you have quality ambulance services, with modern, safe vehicles. I shudder when I think of some of the ambulance services offered in some of the US states, but that's where we're going. This government will not allow us to sing O Canada at the beginning of each legislative sitting, but I wonder, if we offered to sing the Star-Spangled Banner, whether it would get approved fairly quickly.

The concept of term employment: are we going to draw the very best people for up to a three-year appointment? I would suggest the very best people are not looking for three-year appointments; the very best people are looking for full-time employment with benefits. So we're going to see a turnover among employees. That's not that we don't have and that we won't attract quality, but I don't believe that's in the best interests.

We also lose something that has not been valued by this government, and that is corporate history. Why do we do something a certain way? Well, if we think of water testing as an example, that was a finely developed and evolved system that came into place, and there were

individuals within the Ministry of the Environment who knew why it was developed that way and why we needed to maintain it. We're losing that.

For a person on a three-year appointment, there is no way they could safely be a whistle-blower. In the US—bless them; at least they're right on this—they have whistle-blowing legislation that protects people. But for someone within the Ministry of the Environment who was prepared to divulge what they believe is an unsafe condition, it will result in non-reappointment at the end of the three years, so it can't be done. It simply eliminates a long-term commitment.

When we look at the other part of it, which is dealing with the collecting of information, this is rather insidious. This deals with collecting personal information from a civil servant. Now, a civil servant is still a full citizen of this province and I would think would be entitled to all the rights and privileges of it. Here we have, "Personal information ... may be disclosed, collected and used under this section only to the extent necessary," etc, but then it says, "A public servant shall disclose personal information about a public servant to a person engaged in providing an integrated human resources program." That could very well be an outside private firm.

The problem with information—probably the most valuable thing that individual owns is their good name and the information about them. If we are unhappy with the way a civil servant administers a policy, if we're unhappy with a policy, we can defeat the government. The people of Ontario have the right at election to call their elected officials to accountability. But a private company is not accountable to the voters of Ontario. So that information has gone into Never-Never Land and, as we've seen with the Province of Ontario Savings Office, once the information is in private hands, it can become, in a sense, public information. So we're seeing a betrayal of the trust that we're entitled to when we give our information to a government that it will retain it and it only will retain it.

1650

As we see the wedge coming into this and we see that they'll be able to give information about public servants to anyone else and they'll be able to have the public servant information disclosed in the chain that it starts in, it should be absolutely terrifying that this is only the start of medical information or other personal information being distributed.

This bill isn't about serving the people of Ontario, not in any way, shape or form. This bill is about privatization, about rewarding firms and allowing them to make some more money and allowing the rest of Ontario to have their privacy invaded, to have their services reduced, all in the name of more profit for friends of this government. There is no way that this bill should be supported. The people of Ontario should be extremely concerned about it.

I will now pass on for comments to the member for Scarborough-Rouge River.

**Mr Alvin Curling (Scarborough-Rouge River):** I appreciate the opportunity to speak on this bill, Bill 25,

An Act to amend the Public Service Act and the Crown Employees Collective Bargaining Act, 1993.

Before I get into the meat of all this, Mr Speaker, let me see if you share my understanding, because the people outside in my constituency and around this province seem to share the understanding that we all are here elected by the people of Ontario. They want us to conduct business in the most efficient and fairest way possible. The fact is, they feel that there are individuals in our community and in our society who are vulnerable to many corporations or institutions that are focused one way, and that is to make profit. They would say there are things that have to happen in our society where the bottom line is not profit. In other words, "I'd like to take my kid to school, but I can't afford it through transportation, so we hope that there's a fair and equitable way that that can be managed," or that, "If I'm drinking the water each day, I'm not dealing with the fact that I have to have money in my pocket or that there's a profit to be made if my water is being distributed and being managed in a proper way."

We are elected to balance that situation, as simple as that. I don't want to get into it in a very complex way. It's a democratic society, and that is what we are doing. It's even going to the point that the Premier of this province has to be elected in his constituency, so that people can say, "I can look straight at Mike Harris," or at whomever the Premier would be, "and say, 'You're accountable for the concerns and the wishes and aspirations that we have in that constituency.'"

Sometimes it's unfortunate that we don't have an accountability session in here where they can be accountable to answer the questions as the people have addressed them to be. Sometimes the people have a concern. As my colleagues from the north would say, many times the Premier himself is wanted even in that area. It's rather surprising. He's not accountable there; he's not accountable here—which is quite something.

Let me just emphasize about the public service, the civil servants. I am one of those who have been subject to seeing the excellent work done by the civil servants of Ontario. As a minister coming in, many people would think that I had the authority, when I was appointed the Minister of Housing, to know it all. That's what the perception is. But because of the excellent civil service that we have, they were here to direct me in a policy way and to guide me accordingly through housing and through other ministerial posts I have been honoured to do.

So civil servants are not partisan. They are much more policy-oriented and they are not confused about ideology of the left, the right or the centre. They are there in a sense for guiding. I want to commend those civil servants who in my time have seen three different ideologies govern this province. They've done an excellent job.

What we have seen lately, though, by this present government is how they have undermined the system and undermined the civil service with a lack of resources and then have turned around and said they are not doing any

work. They don't have any trust in these civil servants, who have been excellent civil servants in the process. I can think of many times, and I know my colleague from Sudbury can recall very much so, when ministers of the Conservative government here have fallen flat on their faces and, thanks to the civil servants, were bailed out by notes slipped through here sometimes so they don't fall on their faces and don't in any way embarrass themselves or renege on their responsibility.

But do you know what? They have a found a way in which to avoid all this. They said, "Let's sell off most of what we have. Let's privatize it because it's too much responsibility for us," a responsibility they ran on and campaigned on. During their campaign they said, "You send me to the Parliament and I will look after your concerns and your welfare." They found the responsibilities too much, so they have now decided to find some friends of theirs and say, "This is quite a profitable business we've got here. I'd like to pass some of those responsibilities over to you." I don't want to go into the Andersen Consulting game that went on, but they said, "You know who are the most vulnerable people, the people who can't speak out for themselves. Let's first attack them." Within a couple of days of this Conservative government taking the reins they cut the most vulnerable in our society, cut 22% from their income, and said, "We have done a great job. What we will do with that saving is, we'll turn it over to you for the excellent job you have done, Andersen Consulting."

In the meantime—here is the irony of it and you know that—the irony of it all is that they are saying they were wasting money in there and the money could be better spent. But if we could take it away from them and pay millions of dollars to a consulting company to tell us that we have saved money—and what they have done is given it to their friends. So it started off in that direction.

Let me see if I can really make some sense of what they are doing here. In some part of Bill 25, where they talk about the Ontario Provincial Police's way of bargaining, I almost want to agree with them that there is a process here which could be cleaned up. They haven't done a bad job there, but because of the consulting done by the police, that is a part that made out pretty well itself. But on the other part I am extremely concerned about the privatization that is going on here and the contracting out of services.

I have seen today what we have to speak of so often, the Walkerton situation, and look what has happened. They've tried to privatize it, they've tried to undermine it, they've not given it enough resources and that has caused death, a legacy this Conservative government will carry right through to the day of election, when the people will have decided they cannot give them a mandate any more to look after their lives. But because of their incompetence, they feel they can pass it on to other areas.

One of the wonderful things about the civil service and the process and how it is set up is that whenever there is a breakdown, we know where to go to find out

where the problem is and how it can be corrected. We know which person is responsible, we know which deputy is responsible for carrying out those duties. But today we understand that the jails are being privatized because they have some friends they'd like to pay off. I think it's a big payoff, a huge payoff: "Going to privatize the jails, we privatize the water, we privatize all these things without any consultation"—no consultation whatsoever. The breakdown comes, so that people are looking around to find out who is accountable. I thought the whole process of democracy was accountability. In this House, this government itself has made sure the opposition has the most limited time in which to debate any issues here. They have had more closures here so that those of us who are anxious and eager to do the job of the people who have elected us, to ask questions of the government or pursue in a public way public hearings about legislation—they have shut that down and no consultation happens.

#### 1700

We are seeing right now what is happening in the education business, and gradually they are going to try to privatize that. As a matter of fact, they think they can fool the people all the time, but the people have seen very much what they are doing. But they also feel that by the time they leave office, they could have privatized everything. This is what this Premier has said in his discussions oftentimes, that he's not here to govern and he's not here for government; he's going to make sure there is not very much of government left when he goes.

His ministers will say to themselves that they'd like to create a crisis in order to solve a crisis. You can recall that the ex-medical chief came out very, very strongly against Mike Harris at the water inquiry, where warnings were being given and they ignored them, and here we now are finding many things that are supposed to be available for the inquiry were not given up, and the Premier is saying, "I don't know what else to give." Yet they are finding tons of evidence still that can be aired in the inquiry.

I get very concerned about the direction of this government, because by the time we are rid of them, our children may not be properly educated because they have privatized that; the most vulnerable people in our society who need support from this government have not been helped because their friends who make a profit from the most vulnerable in society are now laughing all the way to the bank. I'm sure by the time the electricity situation is over here and the energy crisis is developed—who will make the money but his private friends who will, of course, be pocketing that money and laughing all the way to the bank?

I'm concerned, and all my colleagues here—Dalton McGuinty and the Liberals here—are extremely concerned that that's the direction, but there is hope. Sometimes the young people here today, our pages, are wondering, "This seems to be doom and gloom." But there is hope. I want to talk to the pages now, because hope lies in the Liberals and you and all the young people

out there. Where hope lies is that there is an alternative to this type of government that wants to privatize everything. The hope lies in that we will make sure that public education is protected. The hope lies in that for the most vulnerable in our society who want to be cared for, which will be the young people's grandmothers or your grandfathers or those who may be lame and sick, there is an alternative, a government called the Liberal Party, led by Dalton McGuinty. Within the time of an election we'll make sure those things that people have fought for in wars, to have democracy, to listen to, will be protected. Yes, there is much damage that they will do, but, like I say to the young people, have faith, because whatever damage the man has done, we the Liberals can correct that.

We have seen the misguided approach by the Conservative Party, completely misguided, and some of them are singing out of the same hymn book, not even sure of what they are supporting. They are just doing it because they feel that one day they will sit in the front seat.

*Interjection.*

**Mr Curling:** Dr Schabas has said that Mike Harris has turned his back on health care, on public health. Isn't it awful that a doctor who himself has been a part of this profession, who has lived with it and seen the pain and suffering and who had hope in the government—

**Hon David Turnbull (Solicitor General):** On a point of order, Mr Speaker: It's my impression that in debating something like this, the debate should vaguely follow what the bill has to do with. What is being said now has nothing whatsoever to do with the bill.

**The Deputy Speaker:** Thank you. As you know, members have a wide range of latitude when debating this issue. The member for Scarborough-Rouge River.

**Mr Curling:** Let me tell you how close I was to all of this issue, and this is what it is, exactly. The minister himself doesn't seem to identify with that; he doesn't understand that. What I'm trying to say to you is that privatization is causing all that, Mr Minister.

**Hon Mr Turnbull:** What's that got to do with privatization? Do you know what bill we're debating?

**Mr Curling:** Let me quote directly what the doctor was concerned about. He said, "The Premier looked at me ... and then he turned away." This is what Dr Schabas said. "As far as I was concerned, the Premier was turning his back on public health." And the minister says how far off I am from debating this bill.

When you send it off to the private sector, who are we going to ask those questions? I am sure Dr Schabas was never able to ask the Premier that, because the Premier would say, "It's not in my hands. I've given it to my friends to do this job." So what about water? "It's not in my hands. I've shunted it off." Or if the jails are not being protected, "It's not in my hands, so talk to my friends." Or if it's the transportation on the highways he may sell off, "It's not in my hands. If the guy's charging you too much money, go to him, because he has to make a profit. Furthermore, we also have to get some money

for our fundraising, and so we will have our fundraising and those guys will contribute accordingly."

So if the minister wants to say I'm far off from the bill, let me tell you, he's far off from democracy, he's far off from accountability, he's far off from being able to defend the most vulnerable in our society and he's far off from actually conducting himself in the manner he was elected to do. He's far off from that. I'm telling you to come on the road where Dalton McGuinty and the Liberals will go. If it isn't now, it will be at the time of the election when the people go in the direction of voting Liberal.

**Ms Shelley Martel (Nickel Belt):** At the outset, Speaker, I want to let you know that I'll be sharing my time with the member from Kenora-Rainy River.

I want to focus on three issues today in my remarks, but first, obviously I want to say that New Democrats will not be supporting Bill 25. We didn't on second reading; we won't be now.

In essence what the bill does is to facilitate the privatization of government operations, because the bill makes it much more attractive to the private sector to take over the management of government employees. The bill does that because, in one instance, the bill delegates authority now currently in the hands, in most cases, of deputy ministers, of many authorities, to other hands. Those can certainly be other people in the public sector, and no doubt it will be people in the private sector.

The delegation of authority, which for many years has been specifically delegated to deputy ministers, was to assume or to provide for or to guarantee—probably the most important word—a measure of accountability, and accountability from the public back to government, but the government changes that in this bill and will allow for the delegation of authority to other parties. Those other parties can be in the public service; those other parties can be outside the public service. We saw the government do that in 1996, for example, when we were dealing with the Aggregate Resources Act. In that bill the government delegated authority, responsibility, for a number of very important government functions to other parties. I disagree with that move, because I think it clearly undermines the accountability that government should have at the end of the day for the provision of high-quality public service.

When you contract out that responsibility, because that's what it is when you delegate, where does the public go to have its voice heard? Where does the public go to get its issues resolved? Where does the public go when it has concerns with what is happening and the deputy minister no longer has the authority, when it's been delegated to someone else, to a third party, to a private sector party?

There is no accountability when the public has to try and wrangle with someone who has a delegated authority who comes from the private sector, because the private sector's not interested in dealing with accountability; they're interested in dealing with making money. That's what the point of the exercise is for them. So the

government, with the changes it makes in Bill 25, clearly removes an important level of accountability, one that's been in place for a long time. As I say, I think the government does that because it makes it easier to make government services, particularly involving people, much more attractive to the private sector if they know they don't have to be accountable in the same way.

1710

I think the second way the government facilitates privatization, making it more attractive to the private sector—that is, the management of people resources—is the changes the government makes with respect to its own employees. Some of the government members have talked at some length with respect to the change of the definition of “temporary” from one year to three years, and how this will make the management of people resources in the public sector so much more flexible, so much better to respond to the public and public concerns etc. Really—and I will deal with this a little more fully later on—all it does is ensure that the government, and then the public private sector, has much less cost in terms of dealing with issues like pensions, pay, health care benefits etc. This is clearly an attempt by the government to reduce its own costs with respect to its own employees, and then to keep that in play so that as they off-load public services and public assets, those same benefits of reduction in costs to unclassified staff will pass on to their friends in the private sector. I'll deal with that a little more fully in a moment.

This bill is all about how to assist the government in its privatization agenda. The sad part of that is that if you look at some of the assets that have been privatized by this government or some of the public services that have been privatized by this government, it's very clear that there hasn't been a saving to the taxpayer.

I remember the auditor's report that was filed in the fall two years ago. The auditor looked at this government's privatization of highway maintenance under the Ministry of Transportation. The auditor, in his report and in the public hearings that followed that report, while the Legislature was not in session, made it very clear that in his view there had been no savings to the taxpayers of Ontario. In fact, his review, his look at the monies the government disclosed to him—because he had, and he mentioned this in his report, a great deal of difficulty getting financial information disclosed to him to make a proper evaluation—led him to clearly summarize and believe there had been no savings to the taxpayer, and that in fact the maintenance contracts he reviewed gave an added burden, an added expense, to the taxpayers of Ontario. It was why he was so concerned that before the results of the first contract, in the Chatham-Kent area, were ever clearly known to the government, the government went ahead and privatized a number of other areas for highway maintenance. He made it very clear that the government should have looked at the results of that first contract, because if the government had done that in an honest way, it would never have proceeded with further privatization of highway maintenance. There were no

savings to the government, no savings to the taxpayers or the people of this province.

What is even more interesting is that even though the auditor dealt with that two years ago, in recent correspondence we've received from the Ministry of Transportation—the public accounts committee has continued to try to obtain some of the answers, some of the documentation the auditor himself had great difficulty getting, and in some cases never did—when I asked the auditor in committee whether he now felt confident that savings had been achieved, he replied to all the committee that he was very much concerned by recent documents we'd received from the Ministry of Transportation, that again the figures don't jibe and the figures certainly don't show there have been any savings from privatization. The auditor is coming back to the public accounts committee this Thursday to talk to us directly about those concerns. I also understand, because he told the committee, that he has yet another meeting with the deputy to try to go through the numbers one more time.

So here we are, two years later, and the Provincial Auditor, who is a public officer chosen by all this House, continues to maintain there were no savings through privatization of highway maintenance. The extent of the lack of savings still has to be confirmed. Hopefully in the next meeting he's going to have with the deputy, he'll finally be able to get the information he needs to make that conclusion very public.

Let's look at the private cancer clinic the government established at Sunnybrook. We have a scenario before us where the government decided to establish a private radiation treatment facility at Sunnybrook, led by a private sector company, a former public sector employee of Cancer Care Ontario. I have to ask whether there's a bit of a conflict of interest there, but the main point I want to deal with is whether there were any savings here.

My colleague from Beaches-East York, who is our health critic, was very persistent in trying to obtain a copy of that contract and finally was given a copy of the contract—a copy she has asked the minister to release publicly and which he continues to refuse to do today. But it was very clear in questions she raised in this House, after having the opportunity to review the contract, that in fact the government had established guaranteed payments per patient and, over and above that, premiums, given the number of patients the cancer clinic was able to see, which led to some questions about how quickly people were being seen and were you having revolving-door radiation treatments going on in order to increase the premiums?

But it was very clear from the details she provided to us in the House that in fact taxpayers were paying much more for the operation of this private cancer clinic at Sunnybrook than they would have been if Cancer Care Ontario had itself just operated the extended hours at Sunnybrook. I gather they are using any number of the same employees who work during the day for the public sector and then at night for the private sector. But here we are in a situation where, to date, the government

refuses to release the details of the contract. So it's very hard to believe the government, especially the Minister of Health, that there are any savings here. I suspect the reason the document has not been released to date, even though my colleague from Beaches-East York has tried on many occasions to have that done, is because we're paying more, far more, for radiation treatment at this private sector clinic than we would have paid in the public sector.

So there are but two examples, one very clearly documented by the auditor, another very clearly documented by my colleague who has been able to raise some of the details of the contract, that as the government proceeds on its privatization agenda, the taxpayers of this province are not seeing any financial benefits. In fact, what we are seeing is a higher cost for us to maintain assets and public services that people in this province fought together long and hard to build.

The bill that is before us, regrettably, will facilitate the move, the direction of this government—in fact, reinforces that direction even more, makes it much more attractive for the private sector to want to take off government's hands even more public sector services and public sector assets. I resent that, because I think many people in this province fought long and hard to put in place important public services. Those are being sold off to this government's corporate friends, and we see it is costing taxpayers much more to continue to have those services, which they've already paid for, and built, as well.

I want to go back to a point I raised earlier. How does this make it more attractive to some of the government's private sector friends? If you look at the changes the government is making with respect to employees, it's very clear there will be a reduced monetary obligation, certainly on the part of the government right now, and then on the private sector when it assumes some of these services, with respect to personnel, manpower. The government is changing the definition of "temporary" from one year to three. The government is also creating another whole pool or category of persons who are essentially unclassified staff. The net effect of the government's doing that, obviously, is to reduce its own costs with respect to potential pension benefits, health care benefits and salary levels, and then to maintain those reduced costs for its friends in the private sector as well.

A couple of comments in this regard. There's nothing temporary about three years as a temporary employee. It reminds me of the terminology this government uses to defend its cancer re-referral program: it's OK to discriminate against northern cancer patients by ensuring they get less money when they have to travel for cancer care because the government's deluxe plan for southern Ontario cancer patients is only a temporary program.

1720

It's worth pointing out that this temporary program that provided 100% of the costs of food, accommodation and travel for southern patients to access care far from home was in existence for over 26 months. There was

nothing temporary about it. There was certainly nothing temporary about the payments that continued in that course of time. If you look at the payments that were made to the southern patients, they were far in excess of anything that was ever paid to a northern Ontario patient who travelled for cancer care at the same time somewhere in northern Ontario. It's very clear that was discrimination; the Ombudsman has said it is so.

In this case, I look at those employees: there are 10,000 of them now in the government of Ontario who are unclassified who will now have the privilege of being unclassified for three years instead of one. I remember when we became the government, facing a similar situation. The Minister of Natural Resources at the time, my colleague Bud Wildman, came to the ministry and found thousands of employees who had been unclassified, working for the government on a contract—fewer benefits, fewer health care benefits, less pension if they got a pension payout at all—for a number of years: three years, four years, five years.

This was the way business was done in the Ministry of Natural Resources at the time. He came to cabinet and said very clearly, and he was right, "This is very unfair. We have people with a particular expertise. We need to guard that expertise and we should give them some stability of employment in the public service. It is not fair that people providing an important public service, be it firefighting or other, should continue to be unclassified and not have good benefits and the same level of pay as their counterparts in this ministry." At a big expense to the government, we made that change. We made those unclassified staff permanent staff and gave them the benefits and level of pay they were entitled to.

I resent that the government chooses to go down this road, because I think there are many people who, after working two and three years for the province of Ontario, should be permanent staff. I think we need those permanent staff. I disagree fundamentally with the member from Kitchener Centre who says we don't have a need for all these people. Ask people who have been affected in Walkerton if they think we have a need for more MOE inspectors, and I think they'll tell you that we do. Ask those people who are really worried about what the Ministry of Natural Resources is doing or not doing in our forests, and they'll tell you we certainly need more employees.

Not only will they tell you, but the Provincial Auditor told this government too, because in his report that was released last November, when he looked at the forestry division of the Ministry of Natural Resources, he made it very clear that the ministry has absolutely no idea what's going on in the forests of Ontario at this time—no idea, none. They don't have any idea what's going on in the forests with respect to cutting, regeneration, seeding etc, because they don't have enough staff to monitor what needs to be monitored. He made that very clear in his report in November.

We had an announcement by the Minister of Agriculture and Food today about some changes with

respect to food protection. The only problem is that this is the minister who presides over a ministry that has lost over 200 of its food inspectors since the Conservatives came to government, and there is nothing in the bill he introduced in this House today to oblige the ministry to rehire those inspectors or hire new inspectors, to put in place the people who can actually monitor to ensure we have adequate food standards in this province.

It's a shell game the minister played today. It might have been a nice public relations exercise. I guess he's hoping he's going to get a headline or two in the Toronto papers saying the government's doing something with respect to food safety and food standards, but the fact of the matter is that with 200 fewer inspectors in this ministry to deal with food, there's no one in this government who can guarantee the safety of the Ontario food supply, and nothing's going to change with the bill he introduced today, because there's no obligation on the part of the government to hire any of those people back to do the job they should be doing.

If you ask any number of Ontarians in light of Walkerton, in light of what we know about food safety, in light of what we know about the MNR, in light of what we know about any other number of ministries, whether they think we need more temporary staff, one-time only, pay those people less, get rid of them and their expertise after three years, or whether we need to staff up some of our ministries properly to do the job government is obligated to do to protect the public interest and public safety, I think more and more people will agree that we need more public servants to do important work on behalf of the public. They need to be paid for their work, they need to have a pension and they need to have health care benefits. Most of all, we need their expertise to avoid tragedies like Walkerton and others ever again.

Because the minister and the member for Kitchener Centre spoke several times about accountability, I want to make one point about that in the time that I have remaining. Specifically, the member for Kitchener Centre talked about the bill increasing accountability of the public service, that, "Accountability defines what good government is all about." "This government is committed to being accountable," and finally, "Accountability is the cornerstone of these legislative amendments."

The minister, when he spoke, talked about the Provincial Auditor in the context of accountability, but made some specific references to the changes that the government's going to make in the Audit Act to make the auditor more accountable and the spending of public dollars more accountable. I have been looking for a way to raise this, and I'm glad that both the minister and the member gave me that opportunity today, because I've got a letter from the Provincial Auditor with respect to accountability, particularly with respect to his ability as the Provincial Auditor to do the job that he needs to do: to look at the public accounts of the province of Ontario and to make recommendations to the government and to the public about whether or not they got value for money. It was interesting: this letter came to the public accounts

committee, of which I am part, on June 7, from the auditor, Erik Peters, who said:

"As part of my estimates submission, I advised the board"—that's the Board of Internal Economy—of the following: that Ontario "is funded at about one third of the average level of the other Canadian legislative audit offices per \$1,000 of government revenues and expenditures"; and secondly, that the "office's approved staff complement has been decreased ... from 115 to 85, or about 26%, while revenue and expenditure subject to audit has increased by 38%."

The reason we got the letter is that the auditor went to the Board of Internal Economy to try to get an increase in his staff in order that he could do more value-for-money audits, in order that he could be more accountable to the taxpayers of Ontario about whether or not this government was spending their money wisely and properly. The BOIE on June 1 told the auditor, by way of a telephone call, that his request for estimates was not approved but would only be approved at the 2000-01 level, which is an impact of about \$608,000. He said very clearly to the members of the committee, "As a servant of the Legislative Assembly and of the public accounts committee, I consider the inadequate funding provided as interfering with my office's ability to fulfill our responsibilities under the Audit Act in a timely manner and as counter-productive to good public accountability." That was what the auditor had to say to the public accounts committee about his ability to do his job, which is to guarantee value for money with respect to the spending of this government.

I raise this today because as we speak, the auditor has been called back before the Board of Internal Economy and is trying to convince the board members—I shouldn't say "board members," because the Liberals and New Democrats voted in support of the increased funding; it was of course the government members, the Conservatives, who voted down the auditor's request for some increased funding. The board is meeting right now as we speak to have a second look at the auditor's estimates. I hope by the time my colleague Mr Bisson comes back to the House today—because he's our member—he will have some good news to report; that is, if the government really means what it says about accountability, then the government will staff up and fund the auditor's office to the extent that it has to be in order that he can carry out his job.

With that, I'll say again that we will of course be opposing Bill 25. I will allow my colleague from Kenora-Rainy River to make some remarks as well.

1730

**Mr Howard Hampton (Kenora-Rainy River):** This is Bill 25, An Act to amend the Public Service Act and the Crown Employees Collective Bargaining Act, 1993. Let me come right to the point: what the government wants to do here, what the government is trying to do, is facilitate the privatization of as many government operations as it can, and it's trying to facilitate the contracting out of as many government services as it can.

I want to talk just a bit about Ontario's experience with privatized public services and contracted-out public services.

The first privatized service I want to talk about is the testing of drinking water. This is quite timely, since in three days the Premier will have to appear before the Walkerton inquiry and he will have to explain his actions or his lack of action in terms of protecting the drinking water of a community where seven people died and over 2,000 became seriously ill as a result of contaminated water. People ought to be thinking about what happened at Walkerton in terms of this legislation. What happened—and more and more of the documentary evidence is appearing—is simply this: this government in 1996 decided that it was no longer going to handle the work of testing drinking water. It was no longer going to have provincially operated laboratories test the drinking water from municipalities across the province. It was going to withdraw from that public service activity and it was going to turn that public service activity over to private water-testing laboratories. Municipalities would then shop around, going to this laboratory or that laboratory, to have their water tested.

We know that in the case of Walkerton, there was actually a changeover from one private water-testing laboratory to another. Immediately after the government privatized this public service, the town of Walkerton engaged a water-testing lab. This water-testing lab was providing water-testing services, and even though they were not bound by law, because many of the people who worked at that water-testing lab were former public servants, they said, as a matter of their corporate policy, that they were going to continue to follow what they knew were the internal government protocols. After about a year, though, they said to the municipality, "We can't afford to continue to do all of these tests, this broad spectrum of water tests, for the money that we're being paid. If this is all you can afford, maybe you should get another company to test your water."

So the municipality retained another company to do the water testing, but that company only tested a narrow spectrum in the potential contamination of the water. Yes, they gave them a better price, but they only tested within a narrow spectrum, and this second company didn't consider itself bound by any of the previous public service protocols. In fact, they did very little reporting of the water test results. They didn't report the water test results, for example, to the local medical officer of health. They didn't report the water test results to the provincial medical officer of health. They didn't pass on the water test results to the Ministry of the Environment.

So what happened as a result of the privatization of this vital public service? I think it's evident what happened. The water tests which began to show bad water, contaminated water, were not passed on to the responsible public officials. Because the responsible public officials didn't know about the contaminated water, many people became very ill—over 2,000 people became very ill—and seven people died.

This is just a brief lesson in the privatization of important—I would say essential—public services.

I want people who might be watching to understand the difference between a public service and a corporate financial transaction. In a public service, the biologist, the scientist who's inspecting the water, is not there to make a profit. He or she is there because they consider a public service to be important and they consider the protection of the public to be important, so they're concerned with fulfilling that public duty.

A private company will tell you, when they hold their annual meeting, their shareholders' meeting, they don't ask questions like, "How well did we serve the public interest this year?" They don't ask questions like, "Did we do any public education this year?" They don't ask questions like, "Did we do any questionnaires to see how the public is being served?" No, that's not what happens at a corporate shareholders' meeting. What happens at the corporate shareholders' meeting is, they ask one question: "How much money did we make this year? What's our profit line? How much money is available for shareholders?" That's the emphasis in privatized public services, that's the emphasis of commercial corporations, not, "Did we do a good job of protecting the public?" not, "Did we do a good job of educating the public?" not, "Did we do a good job of delivering a public service?" None of those questions is even entertained. The priority of a private company offering or providing a public service is a simple question: "How much money did we make?" Protection of the public will probably not even be discussed. If it is discussed at all, it will be discussed after the questions, "How much money did we make? What's the profit? What's the profit in terms of percentage of money expended?" etc.

I think people across Ontario have to ask the question: when it comes to important services like protecting our drinking water supply, when it comes to important public services like inspecting food and ensuring that our food is safe for human consumption, when it comes to important public services like inspecting an elevator in an office tower—an elevator that perhaps 2,000, 3,000 or 4,000 people may ride up and down on each day—should those services be turned over to a private organization which is more interested in how much money they can make and decidedly less interested in protecting the public, ensuring the public interest is looked after?

All these questions are things I think the citizens of Ontario ought to be actively considering now, because it's very clear where this government is headed. Their primary interest is: privatize the service and, in privatizing the service, see if you can get the price down, see if you can get the wages paid to the inspectors down, see if you can eliminate some of the inspectors, see if you can shorten the process, simplify the process. And if that means the public is at greater risk, if that means the citizens of Ontario are in fact putting their health and safety at risk, this government is quite prepared to live with that.

In the Walkerton situation, this government decided to privatize that service, the inspection of water. This

government received not one warning, not two warnings, but three warnings that we know of. The medical officer of health for Ontario wrote a letter to the Minister of the Environment and said quite clearly in that warning, "Minister, by selling off the water-testing labs, by turning the testing of drinking water over to private companies, you are putting public health and safety and the environment at risk." What did the government do? They ignored the warning.

The Minister of Health himself wrote a letter to the Minister of the Environment, saying to the Minister of the Environment, "By privatizing this important public service, by turning this important public service over to a private company, for whom protection of the public will not be the number one priority, you are putting public health and safety and the environment at risk." What did the Minister of the Environment do in response to that letter? He ignored it.

We know that in the 1996 the civil servants in the Ministry of the Environment put a warning in the draft business plan of the Ministry of the Environment. They said, "This plan, this strategy to cut the inspection resources, the enforcement resources, the scientific resources of the Ministry of the Environment will put public health and safety at risk." What was the government's response? They not only ignored the warning; they had the warning taken out of that document.

I believe people across Ontario, in the context of this next piece of legislation, should be asking themselves, "How much of our public safety are we willing to put at risk? Are we willing to put our drinking water at risk? Are we willing to put the food we eat at risk? Are we willing to put, for example, the elevators people rely on to get to work at risk?" If people are willing to put them at risk, we need to ask, "What happens when something goes wrong? What happens when there is contaminated water? What happens when there is food which is not fit for human consumption and people become very ill and die? What happens when there's an accident in an elevator and, say, 40 or 50 people happen to be riding in that elevator and many of them are seriously injured?" Are we willing to countenance in this province that level of risk? Are we willing to put at risk the lives of people across this province? If so, what's the goal?

1740

This government has been very clear in every budget they announce that their priority is more tax cuts—in this last budget, \$2.5 billion of increased tax cuts for corporations. I doubt very much there's a corporation in Ontario that needs a tax cut, but they've made it very clear, at the same time that this government is going to privatize and contract out more public services, put public safety at greater risk, that their priority in terms of the expenditure of money is to expend the money on corporate tax cuts.

I think people across Ontario have to say if more tax cuts for corporations is a greater priority for them as compared to protecting the health and safety of the

people of Ontario. Are corporate tax cuts, \$2.5 billion of corporate tax cuts, more important than the efficient, effective and safe delivery of important public services? Let me say I have no doubt that many of those corporations would say, "I'll take the tax cut, and public safety, well, that's not really my responsibility, that's not really my concern." That's what I would expect from those corporations. That is their perspective on the world. But in that context, you have to ask, where really is the government of Ontario? Does it really take its responsibility to speak for the public interest, to speak for the protection of the public, to speak for the protection of the citizens of Ontario, seriously? If you look at the historical record, if you look at this bill, people can only conclude that this government is absent from its post. It doesn't take that responsibility seriously.

I want to speak about one other initiative of what I would call privatization or contracting out which is in the process of happening, and that is ambulance services. We have had in this province, for the most part, a provincial responsibility for ambulance services. Ambulance services are an emergency service, making sure that people who are sick or injured can get to a hospital and making sure that people who are sick or injured receive that first response in terms of emergency services. This government, once again in the interests of cutting the cost, reducing the wages and doing away with the responsibility, has effectively said that there will no longer be a provincial responsibility for ambulances. Now the responsibility for ambulances will be pushed on to municipalities. Municipalities will be the first to tell you that in many cases they are not geographically situated to handle the responsibility, they are not administratively situated, they are not historically experienced, and that for a whole host of reasons they shouldn't have this responsibility.

But once again, this is not about creating a better service, this is not about creating a more responsible or accountable service, this is not about creating a more efficient or effective service for the public; this is about a government that says, "Our real priority is tax cuts. Our real priority this year is \$2.5 billion annualized tax cuts for corporations." If an emergency service like ambulances has to suffer in order to find the money to finance these corporate tax cuts, then this government is prepared to move down that road without a second consideration, without even a whisper, without even a pause to reflect. They're prepared to sacrifice, they're prepared to open up all sorts of risk, they're prepared to basically preside over the disintegration of a coordinated ambulance service, because that's not their priority. Their priority is finding the money to finance more corporate tax cuts.

Once again I would say to people across Ontario, look at this agenda very quickly. Look at it and think about it in terms of your community. Think about it in terms of your family. Are you going to be served by a further \$2.5 billion in corporate tax cuts if the cost of that is putting more and more of our important public services at risk, if

the cost of that is the disintegration and the shredding of public services that we rely upon in terms of protecting our drinking water, in terms of protecting the quality of the food that we eat, in terms of protecting and ensuring the safe and efficient operation of many of the other services that a modern society must rely upon? That I think is the measure for people.

Whose interest is really being served here? Who will benefit from corporate tax cuts? Who will have to pick up the pieces of contaminated drinking water? Who will have to pick up the pieces of food inadequately inspected? Who will have to pick up the pieces when an elevator that's inspected by a private operation rather than by a public servant simply doesn't meet the standards any more and fails? All of those things are what's at stake here.

The government may say, "Oh, this will only move a few civil servants over there and a few civil servants over there." That again is typical of how this government operates. It will say, over and over again, "We're really dealing with a small problem here, a small problem there," without ever completely acknowledging what the big agenda is.

I think it's become clear now what the big agenda is. Protecting the public isn't important. Ensuring that the public has good, quality public services isn't important. Ensuring that there's a coordination of those public services so that they work effectively, efficiently and dependably for people is not important. All of those things this government is prepared to sacrifice over and over again to finance its tax cuts for the well-off.

**The Deputy Speaker:** Further debate?

**Mr Doug Galt (Northumberland):** Thank you very much, Mr Speaker, to be able to wind up the debate with the last four minutes or so here. Just listening to the leader of the third party, the member for Kenora-Rainy River, everything I was hearing from him is that he's opposed to tax cuts, he's opposed to saving money. I don't think there's ever been a tax that he hasn't liked. He seems to like every tax that's going, and if you try to reduce some, he's absolutely opposed to it.

He also talked about being absent from the post. I can tell you a party that was absent from the post for five years in the early 1990s when the debt in this country doubled and spending went up. They keep bemoaning that they were into a recession. No wonder they were into a recession: they created most of it with their irresponsible spending right at the beginning. They were going to spend their way out of the recession. Lo and behold, it certainly did not work very well.

He also talked a lot about how privatizing and contracting out were a big thrust of the government. You'd think from his comments that he disliked every private company out there, that nobody could do a job and that all those people—the unionized people—who work for those companies have to be wrong and have to be bad people. I just fail to understand, when the unions support their party so much, that he'd be so opposed to private

companies that hire unionized workers to do some of these projects.

The current thing for governments to be doing, and it's around the world, is reinventing government. It's out there to steer, not necessarily to row. The government has a responsibility. Can they delegate the authority to have some of this carried out? Absolutely, but you wouldn't think so from what we were hearing from the member for Kenora-Rainy River.

Similarly, the member for Nickel Belt talked about higher costs to the taxpayer. I'm rather confused at this higher cost to the taxpayer, when in fact revenues have gone up \$15 billion since we took office. That's in spite of tax cuts. Maybe I shouldn't say in spite of but because of, because that's what stimulated the economy. Certainly it has responded, as you can see the kind of revenue that's coming in because almost a million more people are out there working, almost a million more people are out there buying goods and services where the provincial sales tax is being paid.

Also, listening to the member from Sarnia-Lambton, who talked about the more that's privatized, the less it can be looked into, referring to the auditor, well, certainly, as you get more and more there's only the one auditor and the one office. But our government is taking measures to increase accountability at all levels of our transfer partners, and there's just no question that accountability is improving. During that lost decade, it was something that the opposition parties were not considering at all as to accountability and what should be happening, as you would have some private industry carry out some of the government activities.

There's no question that government has a role to play, particularly in providing services, as we start out into new ventures, into new areas that may not necessarily be cost-effective for private industry to be involved in, but once that kind of thing is established and it's rolling and it becomes routine, there is no reason in this world why that can't be run by private enterprise.

Just a comment, something that I have noticed, and that has to do with attracting quality staff, particularly in the area of science. This bill is going to be very helpful whereby you can have some flexibility in setting different classes and you don't have to promote scientists into areas of administration so they can get a better level of remuneration. That level of remuneration can be established for the technical ability. That's been one of the big problems in attracting scientists to our system. We have remarkable scientists in our various laboratories throughout Ontario, but with this flexibility the remuneration will be better aligned to their ability rather than having to promote them into administrative responsibility.

For those various reasons, I can enthusiastically support this bill.

**The Deputy Speaker:** Pursuant to the order of the House dated May 30, 2001, I am required to put the question.

Mr Tsubouchi has moved third reading of Bill 25, An Act to amend the Public Service Act and Crown Employees Collective Bargaining Act, 1993. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it. Call in the members; this will be a five-minute bell.

I have a letter from the official opposition chief whip asking that the vote be deferred until tomorrow afternoon during deferred votes.

It being very close to 6 of the clock, this House stands adjourned until 6:45 of the clock this evening.

*The House adjourned at 1753.*

*Evening meeting reported in volume B.*

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John Hastings, Shelley Martel, Bart Maves,  
Julia Munro, Richard Patten  
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**Regulations and private bills /  
Règlements et des projets de loi d'internet privé**

Chair / Présidente: Frances Lankin  
Vice-Chair / Vice-Président: Garfield Dunlop  
Gilles Bisson, Claudette Boyer, Garfield Dunlop,  
Raminder Gill, Pat Hoy, Morley Kells, Frances Lankin,  
Ted McMeekin, Bill Murdoch, Wayne Wettlaufer  
Clerk / Greffier: Douglas Arnott

# TABLE DES MATIÈRES

Lundi 25 juin 2001

## PREMIÈRE LECTURE

**Loi de 2001 sur la qualité et la salubrité des aliments,**  
projet de loi 87, *M. Coburn*  
Adoptée ..... 1812

**Loi de 2001 sur l'École d'art et de design de l'Ontario,** projet de loi 88,  
*M<sup>me</sup> Cunningham*  
Adoptée ..... 1812

**Loi de 2001 sur le respect des victimes d'actes criminels,** projet de loi 89,  
*M. Bryant*  
Adoptée ..... 1812

## DEUXIÈME LECTURE

**Loi de 2001 sur l'efficience du gouvernement,**  
projet de loi 57, *M. Sterling*  
Vote différé ..... 1830

## TROISIÈME LECTURE

**Loi de 2001 modifiant des lois en ce qui a trait à la fonction publique,** projet de loi 25,  
*M. Tsubouchi*  
Vote différé ..... 1847

# CONTENTS

Monday 25 June 2001

## MEMBERS' STATEMENTS

<b>Senior citizens</b>	
Mr Bryant.....	1809
<b>Canada Day festivities in Durham</b>	
Mr O'Toole.....	1809
<b>Northern health travel grant</b>	
Mr Brown.....	1809
<b>Payukotayno Health Services labour dispute</b>	
Mr Bisson.....	1810
<b>Great Lakes heritage coast</b>	
Mr Chudleigh.....	1810
<b>Ontarians with disabilities legislation</b>	
Mr Parsons.....	1810
<b>Landfill</b>	
Mrs Molinari.....	1810
<b>Northern cancer treatment</b>	
Mr Bartolucci.....	1811
<b>Rouge Valley Health System</b>	
Mr Gilchrist.....	1811

## FIRST READINGS

<b>Food Safety and Quality Act, 2001,</b> <i>Bill 87, Mr Coburn</i>	
Agreed to.....	1812
<b>Ontario College of Art &amp; Design Act,</b> <i>2001, Bill 88, Mrs Cunningham</i>	
Agreed to.....	1812
Mrs Cunningham.....	1812
<b>Respect for Victims of Crime Act,</b> <i>2001, Bill 89, Mr Bryant</i>	
Agreed to.....	1812
Mr Bryant.....	1812

## MOTIONS

<b>House sittings</b>	
Mrs Ecker.....	1813
Agreed to.....	1813

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>Food safety and quality legislation</b>	
Mr Coburn.....	1813
Mr Peters.....	1815
Mr Hampton.....	1816

## ORAL QUESTIONS

<b>Public health</b>	
Mr McGuinty.....	1817, 1820
Mrs Witmer.....	1818
Mr Clement.....	1820

## Groundwater protection

Mr McGuinty.....	1818
Mrs Witmer.....	1818

## Walkerton tragedy

Mr Hampton.....	1819
Mrs Witmer.....	1819

## Northern cancer treatment

Mr Hampton.....	1820
Mr Clement.....	1820
Ms Martel.....	1820

## Academic testing

Mrs Molinari.....	1821
Mrs Ecker.....	1821

## Northern health travel grant

Mrs McLeod.....	1821
Mr Clement.....	1822

## Information technology

Mr Stewart.....	1822
Mr Tsubouchi.....	1822

## Political contributions

Mr Hampton.....	1823
Mr Snobelen.....	1823

## Public health services in eastern

<b>Ontario</b>	
Mr Patten.....	1823
Mr Clement.....	1824

## Young offenders

Mrs Munro.....	1824
Mr Young.....	1824

## Post-secondary education funding

Mrs Bountrogianni.....	1825
Mrs Cunningham.....	1825

## Cemetery maintenance

Mr Gill.....	1825
Mr Sterling.....	1825

## Hazardous waste

Mr Hampton.....	1826
Mrs Witmer.....	1826
Ms Di Cocco.....	1826

## PETITIONS

### Home care

Mr Bradley.....	1827
Ms Lankin.....	1828
Ms Martel.....	1829

### Electricity deregulation

Mr Hampton.....	1827
-----------------	------

### Education tax credit

Mr Tascona.....	1827
-----------------	------

### Northern health travel grant

Mr Bartolucci.....	1828
--------------------	------

### Electricity generating station

Mrs Marland.....	1828
------------------	------

### Safe streets legislation

Mr Patten.....	1829
----------------	------

## Protection of minors

Ms Mushinski.....	1829
-------------------	------

## Water extraction

Mr Gerretsen.....	1829
-------------------	------

## Personal needs allowance

Mr Christopherson.....	1830
------------------------	------

## SECOND READINGS

### Government Efficiency Act, 2001,

<i>Bill 57, Mr Sterling</i>	
Vote deferred.....	1830

## THIRD READINGS

### Public Service Statute Law

#### Amendment Act, 2001, Bill 25,

<i>Mr Tsubouchi</i>	
Mr Tsubouchi.....	1830
Mr Wettlaufer.....	1832
Ms Di Cocco.....	1835
Mr Parsons.....	1836
Mr Curling.....	1838
Ms Martel.....	1840
Mr Hampton.....	1843
Mr Galt.....	1846
Vote deferred.....	1847

## OTHER BUSINESS

### Speaker's ruling

The Speaker.....	1811, 1817
------------------	------------

### Visitors

The Speaker.....	1813, 1824
Mr Wood.....	1830

### Ministerial statements

Mr Peters.....	1815
The Speaker.....	1816

### Standing orders

Mr Caplan.....	1817
The Speaker.....	1817

continued overleaf



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of Ontario**

Second Session, 37<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Deuxième session, 37<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 25 June 2001**

**Lundi 25 juin 2001**

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 25 June 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 25 juin 2001

*The House met at 1845.*

### ORDERS OF THE DAY

#### APPOINTMENT OF INTEGRITY COMMISSIONER

#### NOMINATION DU COMMISSAIRE À L'INTÉGRITÉ

**Hon Chris Stockwell (Minister of Labour):** I move that, an humble address be presented to the Lieutenant Governor in Council as follows:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled, request the appointment of the Honourable Coulter Osborne as Integrity Commissioner, as provided in section 23 of the Members' Integrity Act, 1994, SO 1994, chapter 38, to hold office under the terms and conditions of the said act commencing September 17, 2001.

**The Acting Speaker (Mr Bert Johnson):** The Chair recognizes the Minister of Labour from Etobicoke Centre.

**Hon Mr Stockwell:** Mr Speaker, I presume we're in rotation at this point in time, so I don't need to split my time. The nod came from the—

*Interjections.*

**Hon Mr Stockwell:** We're in rotation. OK, thanks.

I'm honoured today on a rare occasion, to appoint an officer of this Legislative Assembly. You don't get an opportunity many times to appoint someone as learned and knowledgeable, as reasonable and fair as someone of the esteemed level of the Honourable Coulter Osborne as Integrity Commissioner. The members opposite know, I suppose, full well the importance of this particular office. For those watching, the office is manned—I guess "manned" is a dated term—the office is taken by people who oversee and review questions of integrity, the financial statements and the disposition of holdings of cabinet ministers, for all members of the Legislative Assembly.

I'm happy to say that I think we have a majority of members of this Legislative Assembly who endorse this particular appointment. I'm not happy to say that it's not unanimous. It's too bad, frankly, that we can't find some unanimity when it comes to this appointment. Sometimes the Environmental Commissioner or other appointments can be political by nature, and I understand the politics of them. The Integrity Commissioner, I would have hoped,

could have been seen as apolitical. I know anyone who would go into the office would hope to see an apolitical appointment, but it's not unusual, I suppose, in the kind of environment we are in today to have the NDP oppose. It's discouraging.

I think their House leader and the leader of the third party have chosen an awkward and inappropriate time to express dissent. I think we as a government—and I will say as a tip of my hat to the members of the Liberal caucus that they have been equally as responsible and reasonable in trying to find an appointment for the Integrity Commissioner. I suppose what happens is that as caucuses get smaller and smaller, you find the vociferousness of opposition becomes more inflated and larger. I suppose this is collectively for the nine members opposite, eight shortly, their ability to flex their limited political muscle. It's something that is disturbing and certainly not something I'd want to see as a position that would be used generally in the future.

To speak to this particular individual, it goes without saying obviously that this is an individual who is highly respected, someone who is revered by all members of the public. I think his track record in the legal world, as well as his time sitting as a judge, is beyond reproach. He has been involved in many interesting cases in the past, many somewhat controversial decisions, clearly a gentleman who's prepared to take some decisions that are not seen widely as run of the mill, you know, between the lines, which I think we like in an Integrity Commissioner. We know full well that should a member of this House refer something to the Integrity Commissioner, they would like to know that the decision they're getting, the review they're having, is being reviewed by an impartial third party who will provide sage and thoughtful advice and decisions. I feel very comfortable with this appointment.

I would be remiss in not mentioning Justice Gregory Evans as well. He's currently serving as the Acting Integrity Commissioner. In my time as Speaker I had an opportunity to work with Mr Evans. He is a formidable person who is very well respected, and I personally had a lot of time for him. He was interesting, engaging, thoughtful and did a wonderful job. When we found ourselves in the situation of having to find a temporary Integrity Commissioner, we reached out to Mr Evans again, who's not the youngest man, and he did us a great service. I look to all members of this House to endorse the respect we have for him that he stepped in to fill a breach, and a breach for us as well. I think he did a good job, as when he was the permanent Integrity Commissioner. In a lot of respects he kind of bailed us out, and I

don't think that should be left unsaid. I know all members of this Legislature will wish him, for the second, third, fourth or fifth time, I'm not sure, a very happy retirement and a very fulfilling life, because he offered us, in my opinion, exemplary public service.

You don't go into this business looking for the money, as we are so well aware of, and clearly these individuals—

**Mr Steve Peters (Elgin-Middlesex-London):** Do you qualify for a pension or not?

**Hon Mr Stockwell:** No, I don't have a pension. I only wish my pension payout had been in the neighbourhood of those of my friends on the front benches opposite; it wasn't. I know they will spend their money prudently and keep the economy moving in Ontario. I caution members that when you have members sitting on the front benches as wealthy and independent as they have, to be very careful. We shouldn't heckle on those pension-like issues.

I will say that he didn't get in it for the money. I don't think any of us gets in it for the money. With that kind of reputation, experience and intelligence, they could go out into the private sector and earn piles, oodles more money than they would being the Integrity Commissioner. We are lucky we could attract such an individual.

I want to tell you that we're lucky too to have two House leaders come together and reach an agreement. I tip my hat to the member for Windsor and the government House leader, the Minister of Education, that they could work together and find common ground to attract an individual such as Justice Osborne to this job.

Again I want to say I'm profoundly disappointed—I won't go on; I don't think this should be a long debate and I won't be but a minute or two more—it's not unanimous. It's discouraging. I think it's depressing and unreasonable. It speaks to the problems we have systemically in this place when we have to take three or four days to debate renaming Sir Wilfrid Laurier. That probably speaks more volumes to the kind of difficulties we're having here.

I blame very specifically the member from Niagara. He is probably the number one reason we have these kinds of impasses. I blame the leader of the NDP, because he actually put him in that position of some authority that has created this kind of difficulty. It's disappointing for me. It's disappointing, I'm sure, for Justice Osborne too. It's been difficult for Justice Evans. It's been difficult for our House leader. I'm sure it's been difficult for the opposition House leader as well.

I would only ask in these final moments before this debate continues and after the rotation to the third party that they think very quietly and very thoughtfully about what they're doing here. I think they're performing a great disservice to the people of the province. I think they're performing a disservice to Justice Osborne and to the Integrity Commissioner's office. I would only caution them that these kinds of things have a way of coming around and biting you in the ankle in future.

I will say to the members opposite that any of these particular positions that were enunciated and put forward by their government were adopted unanimously by this House. I sat in the third party and, let me tell you, there were controversial appointments that we could have tried to make hay on and we chose not to because we have to work together in some ways, and one of those ways is when we're trying to appoint officers of the Legislature. I don't know of any more important officer to appoint than the Integrity Commissioner, because that commissioner reviews our own personal and intimate financial dealings.

I say to the public out there that when you go in as a cabinet minister or backbencher to report on your financial situation to the Integrity Commissioner, you have to have a great deal of respect and belief that this information won't be shared. You have to have a very honourable person in there because you're not only declaring about your own personal financial situation. In my situation, I'm declaring about my personal financial situation, the financial situation of my wife and the financial situation of my two children, which I think many people in any job would find profoundly intrusive.

When I first got to this place I found it incredibly intrusive. I ran for public office and came to this place and, upon winning the election and sitting in this august chamber, I was told I would have to declare my financial situation to the Integrity Commissioner and, ultimately, I found out, not just I but my wife and my children. So it's a rather disarming situation to put yourself in.

When you get into cabinet, it's even more difficult. I look to the members opposite. I know the member from Renfrew was in cabinet. I certainly know the leader of the third party and the member from Sudbury were, and the member from Niagara was in cabinet for a brief stay. They were going through the same kind of process. You need somebody in this position you can trust and whom you have a great deal of respect for.

I speak for the Conservative caucus here. I don't think there is anyone in our caucus who would contradict my comments. We have great faith in Justice Osborne. We have a great deal of faith in his ability and we're very proud as a caucus to move his appointment as Integrity Commissioner. We will support it, and he will work for the benefit of the public and, maybe more importantly in this office, for the benefit of the members of this Legislative Assembly. I am very proud to be the one who moved his appointment.

**Mr Dwight Duncan (Windsor-St Clair):** I'm pleased to join the debate, or the discussion I think is more appropriate, of this appointment.

I want to take the few moments I have to address three issues: (1) the person who will be selected by this Legislature to be the Integrity Commissioner; (2) the process under which that came about; and (3) a few other issues that I think need to be addressed with respect to the Integrity Commissioner.

The Honourable Associate Chief Justice Coulter Osborne has had a long and distinguished career in the law in this province. In addition, he has been associated

with amateur athletics on a national and international level. He is a distinguished jurist, someone who has brought enormous integrity to all of his work. He has served previous governments—most notably in the late 1980s he served the Peterson government on a commission on automobile insurance—and I think has been generally recognized throughout the province for his very distinguished contribution in a whole range of fields.

Mr Justice Osborne currently is the associate chief justice of the Ontario Supreme Court. The fact that he has come forward and offered himself as our Integrity Commissioner I think is a great thing for all of us. The Minister of Labour spoke in terms of the importance of the appointment not only as individual members, because we do all have to disclose our personal affairs, we also count on the Integrity Commissioner to rule when we make allegations against other members or we ask for the investigation of certain things. We all know there is another bill today that will give the Integrity Commissioner another role.

Dalton McGuinty has proposed that when he becomes Premier in two years, the Integrity Commissioner will also be charged with making a determination with respect to the nature of partisan political advertising. So this is an extremely important role that demands the confidence of all members of the House in the process.

We have been fortunate to have been served on an interim basis by Justice Evans. Over the course of the last six years I have had the opportunity, as all members have, to meet with him to discuss my own disclosures, but I've also had the opportunity, as I know many have, to discuss other issues with him. He is extremely interesting. "Interesting" is the best way to describe him. He's an intelligent human being who has tasted a variety of life and has lived it to the fullest, and even in his 88th year continues to contribute enormously to this institution, to our Legislature. For those who haven't, I strongly suggest you sit down with him and just listen for a couple of hours to somebody who is truly a great jurist and a wise person in the tradition of Solomon. I think we all owe Justice Evans a debt of gratitude as well.

**1900**

With respect to the process, when it became apparent that we needed to find a permanent Integrity Commissioner, the three parties met and discussed it. Mr Osborne's name came up, and it seemed like a worthy appointment. We on this side, the official opposition, were able to say to the government, "Look, we'd be willing to proceed with his appointment." It is difficult to get a judge, let alone a Supreme Court judge, to sit in what is a very important position to this House and to the taxpayers of this province. When his name came forward, we did our due diligence, we looked at the background and said, "You just couldn't do any better than this."

There is an important question that the third party will raise, who are not apparently supporting this appointment. They will raise the question of the process by which we select officers of the Legislative Assembly. I say it is an important question; there's no doubt about it.

We do not have a standard process for the appointment of officers of the Legislative Assembly. In the last couple of years we appointed the Environmental Commissioner—I should say, the government did. The government used its majority against the strong opposition of the official opposition and the third party. That was a very controversial appointment. We appointed the chief electoral officer last year, and I think all of us agreed at the time that that process worked very well. There was one representative of each party involved in a hiring process that was executed, and we came to agreement and concurrence on a single candidate.

Unfortunately, those practices haven't been applied evenly over the years. Indeed, the Liberal government of David Peterson appointed Gregory Evans Integrity Commissioner without consulting the opposition of the day. I think it's a valid point and I think it's something this House should look at and all members should be concerned about, because the officers of the Legislative Assembly must not only be totally non-partisan, they must be seen to be non-partisan and they must enjoy the confidence of all members of the House in order to fulfill their obligations.

The government offered a debate on that when we discussed the appointment of Mr Osborne. We in the official opposition would have participated well in that debate and would have looked forward to it. It is my hope that before the next time we have to appoint an officer of the Legislative Assembly, in fact this kind of debate will happen. I would like to see a process that's more clearly defined.

In the absence of that process to date, and given the nature of the candidate that we've had come forward, it's our belief that now is not the time to draw the line in the sand. We've got a candidate who, I think, is universally acclaimed. We have somebody for whom we thought there was going to be unanimous consent with respect to the appointment, and so we're pleased to proceed with that appointment and recognize that this doesn't lend itself to partisan sniping or snipping and it ought not to be blocked unnecessarily, because I think there is consensus with respect to the man's integrity and his ability.

So we are left with an unanswered question, and we'll be pursuing that, and that is, how do we formalize a process for appointing officers of the assembly that rightfully ought to be done in as non-partisan a fashion as we can, and hopefully consensus can be arrived at in those appointments? Mr Justice Osborne, I think, represents exactly what we need in this assembly as an officer of the assembly, more particularly as our Integrity Commissioner. I know many members of our caucus have had dealings with him in the past. We are comfortable with that appointment. We look forward to his appointment; we are pleased to support his appointment. We will continue the debate with respect to a formalized process. Frankly, one of the challenges to a process is that there are different ways to do it. In some eventualities, one way may be superior to another, but we do need to have a way of ensuring that these appointments are done in as non-partisan a fashion as possible.

We are of the view that Mr Justice Osborne will serve this House and accordingly the people of this province well, and are pleased to support his nomination as Integrity Commissioner for the Legislative Assembly.

**Mr Peter Kormos (Niagara Centre):** I want to tell you, New Democrats regret this debate as well, because we don't think this is the sort of matter that should be the subject matter of debate in this chamber as a result of this type of motion after the history that's unique to this particular scenario.

New Democrats, of course, recognize the important role that the Integrity Commissioner has played and will continue to play, not only in terms of the assembly and in terms of the members of this assembly, all 103, but in terms of the public interest and protecting and defending that public interest, because at the very heart of the Members' Integrity Act is, I submit to you, the broad-based issue of public interest.

New Democrats acknowledge the incredible contribution that Judge Evans has made to the office, and his successor, Judge Rutherford. Judge Evans, who is a man of many years of experience—well, he's a man of many years, quite simply put. He wouldn't mind any of us saying it. As a matter of fact, he'd probably insist that that's the first observation we should make, in view of the fact that he's entitled to some retirement years, although I've got to tell you I'm skeptical about him ever entering a real retirement. I've known him long enough, in a variety of capacities, and he's prolific. He was a prolific writer of judgments, he was a prolific source of anecdotes about the law and the courtroom and he was prolific in terms of the offspring he and his wife had, several of whom I know, some particularly well.

Judge Evans's appointment, when the Office of the Integrity Commissioner was very young and when this assembly had not yet begun to adopt some uniform procedures for the appointments to those positions of—what have they been called?—servants of the assembly, non-partisan positions where it's not a matter of being hired on by the government, but it's a matter of serving the whole House and all of its members. Look, the standards set by Judge Evans and, yes, Judge Rutherford, are standards of profound neutrality and commitment, on their respective parts, to maintaining the integrity of the Office of the Integrity Commissioner.

I am loath to reflect on the history of that office without observing the contribution of both Judge Evans and Judge Rutherford, and Judge Evans, in his case, prepared as he was and is to step in and fill in on an interim basis until this assembly had chosen a new Integrity Commissioner.

There are a couple of wrinkles, though; one that I will speak to is that one of the new burdens of the Integrity Commissioner is going to go far beyond the application of the Members' Integrity Act as it exists now. Please, members of this assembly, the Integrity Commissioner that this assembly chooses—assuming, dare I assume, that Bill 82 is going to become law. I was a little more optimistic before today, but you know—and if you don't,

you know now—that the government has served a notice of motion with respect to Bill 82, the MPPs' salary increase bill. You know that, right? It's the bill that delegates to the Integrity Commissioner the setting of MPPs' salaries.

Well, that bill has now been referred to in a notice of motion that we're all too familiar with, and that is a time allocation motion whereby the—it's interesting, it was the government that sent the bill to the justice committee—

*Interjection.*

**Mr Kormos:** It was. Well, it was. The Speaker gave the government a couple of kicks at the can. Again, I have no quarrel with the Speaker. The Speaker was trying to make sure the government had it right. The Speaker, and I'm paraphrasing now, said, "Are you sure? Is this what you really—think about it before you"—the Speaker did. The Speaker accommodated the minister moving Bill 82 to the justice committee.

**1910**

I couldn't have been more pleased. For the briefest of moments I thought, "By God, the government's prepared to do the right thing," because once Bill 82 was in justice committee—and you should know that last Friday I wrote to the Chair of the justice committee and I asked the Chair, because I'm a member of that committee, to please set up a subcommittee meeting ASAP, as soon as possible, because the New Democrats wanted to propose at the subcommittee meeting that the bill, Bill 82, referred to the justice committee as it was by the government, be subject to hearings, public hearings. The New Democrats, by letter to the Chair of the justice committee, asked for a speedy meeting of the justice committee so the bill could go to committee and be the subject matter of public hearings through the course of the summer. Bill 82 is inevitably intertwined with the motion we're discussing tonight.

The argument made on behalf of Bill 82—and understand the New Democrats don't support Bill 82. There are a number of reasons why New Democrats don't support it, and you heard that from every single member of this caucus. Every member of this caucus stood in his and her place in the time available to them and explained to this assembly and to their constituents and to the public at large, people across Ontario, why each of those New Democrats opposed Bill 82. As I say, there were a variety of reasons put forth, but at the end of the day New Democrats were clear in their expression of concern about Bill 82 as it stands.

The argument, you see, the contra-argument, is old. Bill 82 creates this arm's-length relationship with, in this case, the Integrity Commissioner, who will set MPPs' salaries. Well, I'm sorry, and one of the things that is most regrettable about having to debate this motion this evening is that, I put to you, this assembly, if it passes this motion, discredits that arm's-length relationship. That's what causes us the greatest of concern. Quite frankly, it's my submission to you that it puts a cloud over the named appointee, who is—and again I have no

hesitation in telling you that in every respect New Democrats are familiar with him by virtue of his reputation on the bench—an honourable and integrous person. There's nothing bad that New Democrats can stand here and say about Judge Osborne, and we wouldn't purport to, we wouldn't try to; it would be mere folly to suggest that in any way, shape or form. That's not the point. That's not the issue.

You see, acknowledging that prior Integrity Commissioners had been appointed in any number of ways, it's clear that this assembly has the capacity and the interest, and in fact has demonstrated its eagerness, to utilize a process for the appointment of other officers, servants of this assembly, who are indeed impartial not only in substance and fact but in every sense of the word and in any impression that it might leave.

I tell you, members of this Legislative Assembly, that you are doing, in my submission to you, an incredible disservice to the office of the Integrity Commissioner and to the named appointee by virtue of moving and voting for this motion this evening. That position is incredibly important. Every position where the named person, the person doing that task, is a servant of this assembly, is an officer—is a servant of the assembly, most appropriate—is an incredibly important one.

The Ombudsman—and I tell you, this province has had an incredible history of outstanding Ombudsmen, no two ways about it. Our most recent Ombudsman, Clare Lewis, is no exception.

I was very fortunate, because I assisted my colleague from Trinity-Spadina on the committee that he served on, the three-party committee that chose Mr Lewis from among a slew of very good candidates, a slew of outstanding candidates. You know exactly what I'm talking about, because there were Conservative government members on that committee and there were Liberal members as well. The committee worked darned hard and it worked long hours with assistance from civil service staff here at Queen's Park in advertising the position of Ombudsman, in receiving applications, in screening those applications, in interviewing the applicants. An even harder task was reaching a final decision. The decision, it was agreed upon by that committee, had to be, yes, unanimous.

You see how incredibly important that is that there be three-party agreement? But not only that there be all-party agreement, in this case three-party agreement, but that that agreement be arrived at after a fair consideration of all of the people who seek the job, who have equal opportunity, fair access to the job.

Once again, is the named appointee someone about whom anybody could or should or would say anything negative? Of course not. The appointee named in this motion is not the issue; the process is the issue. The manner in which this has reached the floor of this assembly is an even bigger issue, and I'll speak to that too.

Acknowledging that in the past the position had not been filled by way of that process, but understanding that

this House, the members of this Legislature, have demonstrated an eagerness to assume a truly impartial, neutral, fair selection process for similar positions—the Ombudsman, Clare Lewis; the Environmental Commissioner—and I appreciate the position of the Environmental Commissioner. This government marred that process, because our member Ms Churley from Toronto-Danforth, as it's called now, worked hard on that committee, as did a whole lot of other members, and it would have been preferable had the government members of that committee not used their clout, their superior numbers—if nothing else but superior numbers—to impose that position. Quite frankly, though, we've seen some remarkable things from that Environmental Commissioner, I tell you that.

But once again, that was a process whereby it was open to any Ontarian or, quite frankly, any non-Ontarian to come forward and apply for that position. They did; there were numerous applicants. I put to you that just as in the case of the Ombudsman, the list of applicants was as outstanding a list of Ontarians, and perhaps from time to time people outside of Ontario, as you could ever want to see apply for a position or a job as was applied for. Again, this Legislative Assembly and its members seemed to have had no quarrel in adopting that process. As I say, it's regrettable that the government, in the instance of the Environmental Commissioner, chose to use its clout, its superior numbers—and I'll say again, if nothing else—to impose its will on the committee.

The best possible process is one that's transparent, one that's fair, one that's open, one that permits the greatest possible number of people who are in any way, shape or form qualified to apply for the position and one—and this is most fundamental—in which there is all-party agreement.

#### 1920

Members of this House should know that back on April 23, shortly after becoming House leader, I had occasion to write to the Speaker. This was when I became aware that government and Liberal House leaders were becoming increasingly anxious about appointing an Integrity Commissioner without going through any sort of process, without soliciting invitations from people across the province, and that they had in mind one particular person, with whom I had no quarrel, nor do any other members of my caucus. But they were prepared to do it whether or not there was all-party agreement. I find that extremely troubling. I found it extremely disturbing that the government and Liberal House leaders were prepared to roll the clock back to a time that preceded even the Judge Evans appointment by virtue of all-party agreement, where they were prepared to roll the clock back to the point where at the end of the day it was going to be effectively—I've got to say it—a backroom deal between each other.

The concerns of the NDP caucus—the concerns of our leader, Howard Hampton, and the concerns of all of us here in the NDP, certainly myself—I shared the caucus's concerns that this was not the way to approach a job as

important as this one. The public had to be assured, if the Integrity Commissioner is going to have the respect of the public and not just of the members of this assembly—I think, again, that members of this assembly, I have no hesitation in suggesting, have demonstrated respect and regard for our Integrity Commissioners, to the final one. But the public has to trust it. The public has to believe that commissioner is truly independent. The public has to believe like they've never believed anything before that that Integrity Commissioner is completely neutral. The public has to understand that that Integrity Commissioner owes nobody anything, that he isn't beholden to anybody.

That's why there has to be three-party agreement, and that's why there has to be, in our submission to you, a process like there was with the Ombudsman and like there was with the Environmental Commissioner.

Take a look at the Ombudsman. That process worked outstandingly. I can't recall whether you were on the committee or not, Speaker. I know some of your colleagues were. I remember being there with Rosario Marchese, the member for Trinity-Spadina, and, along with you, listening to these applicants as they were interviewed, reading their CVs—their curricula vitae—reading the synopsis of the results of the interviews that had been undertaken before these applicants got to the committee, the interviews that had been conducted by personnel people from the civil service, and reading the report by those civil servants who had interviewed them.

Amongst the applicants were men and women from a diverse set of backgrounds. I think I speak for most, if not all, the members of the committee when I say there were significant numbers of those people who could have done the job. But the committee's task was to find the best one among a group of bests, and also to select an ombudsman who was agreeable to all parties and would therefore enhance the Ombudsman's position with that patina—far beyond a patina, that deep, deep sense of independence, neutrality and thus legitimacy in the eyes of the public. You see, it doesn't do any good to vest any individual with the incredible power and authority that the Ombudsman has, that the Environmental Commissioner has or that the Integrity Commissioner has, unless they are seen to be true neutrals and seen to be truly independent, in addition to being true neutrals and being truly independent.

New Democrats became aware that there was this passion on the part of the government and the Liberal Party to circumvent that process, and we became concerned about it. We wrote to the Speaker, because at the end of the day it's the Speaker who effectively, in a peculiar way, supervises this, although it's not the Speaker who makes the decision. We called upon the Speaker to use his authority, to the extent it existed, to try to ensure that a candidate wouldn't be appointed in what amounted to a behind-closed-doors session.

I appreciate that the debate here is open door. I also appreciate that the government called it at 6:45 tonight instead of calling it at 1:30 this afternoon when the press gallery was active and vibrant and lively and awake. I

understand. I know there are some distinct advantages to evening sittings, especially midnight sittings. There are things you can do here at 6:45 pm that you wouldn't think of doing at 1:45 pm, aren't there? There are things you can do at 9:45 pm that you wouldn't even think of doing at 6:45 pm. I understand. I suppose that's called strategy on the part of the government, or a tactic used in the course of implementing a strategy. I understand that tactic, and I suspect—I'm sorry; I shouldn't be so coy—this isn't the first government to use it.

But I find it troublesome. The problem is that it adds to the cynicism that may well exist about this appointment. Not only was it not the result of an open process where any Ontarian could apply, it wasn't the result of any sort of tripartite agreement, and when the motion was brought, it was brought—I was going to say “in the dark of the night,” but this being summertime, there's still some sun. But I've got to tell you, it's in the twilight of the day.

Come on, you know what I'm talking about. One of the most valuable assets and resources the public has here is an ever-contracting press gallery. I say “ever-contracting” because their numbers drop as the media—newspapers, radio and television—restructure and have fewer and fewer journalists working here at Queen's Park. So again, I hope the government realizes this doesn't help.

I suppose that some would say, “Kormos, why are you raising all those issues? All you're doing is reminding people of it.” Trust me, Speaker. Please, have some regard for what I am about to tell you, and that is, I don't gotta tell people those things; people figure that sort of stuff out all by themselves. As I say, when folks out there witness this motion tonight, introduced and debated in the twilight of the day, and when they realize the debate is about appointing the individual who, pursuant to Bill 82, is also the person who is going to provide MPP salary increases, supposedly at arm's length, I suspect that many people out there will find this as unattractive a process as I do.

Let me put some analogies to you. In the old days—before my time and before yours—here at Queen's Park when judicial appointments occurred—quite frankly, the reforms took place into the 1980s, and I have nothing but applause and great respect for Attorneys General who implemented those reforms, and New Democrats were involved in some of those reforms.

#### 1930

But in the old days judicial appointment was, again, a name and a couple of phone calls and the right connections and so-and-so, and inevitably it was a man and equally inevitably he was white, and for a long time he was a male white and didn't have a name like my last name or like the surnames of a whole lot of other people here, that is to say something other than the most Anglo of names. That changed, thank goodness, over the course of years. The change occurred to the point where judicial appointments—again, it's a very similar thing, isn't it? The public must be assured that not only are judges

neutral and impartial and not beholden to anybody but they don't appear in any way, shape or form, even by virtue of their appointment, to be anything less than neutral or anything less than impartial or anything less than not beholden to anybody.

The manner of judicial appointments has changed dramatically in the course of even—what?—the last 25 years. I dare say probably 25 years. It's no longer knowing—I should be careful. The process is still intact, because in the old days there was no process. If you were well enough connected, you made the phone call, somebody made more phone calls and before you knew it the order in council was passed. But now what happens when there's a judicial vacancy? Come on, you folks know. There's advertising across the province. There's a description of the opening or of the openings that are available. There's an identification of the fact that it may be a Bill 8 community where the French language is imperative in addition to the English language. There is an identification of the fact that it may be in a part of the province where we have significant aboriginal communities so that maybe that sensitivity, or background even, would be useful and desirable.

Then there's a process. You know what happens. There are people out there, inevitably lawyers—because that's what you need, to be a member of the bar to become a member of the bench—who write their letters and receive application forms. Those application forms are filled out. There are references. There are interviews. There are recommendations as a result of that process, which is conducted in a very neutral, even-handed way, and then there's a short list prepared. In an ideal world, candidates who have gone through that process find themselves at the end of the day appointed, unless there is motivation—and this is irrelevant to this debate—from somewhere or somebody that would cause them to overlook the short list and try to circumvent it, try to go in the back door where you can't go in the front door.

Does that process mean that prior to that process there weren't integrous and neutral judges appointed? Of course not. I'll be the first to say that, because I suspect I know a good whack of those judges who were appointed before that process was implemented. Do you know what I'm saying, Ms Martel? That's not to say that those judges were less partial or less neutral. Some may have been, but I'm not about to go further in that regard. We have always been blessed, and Judge Osborne himself, although as I understand it a federal appointment, not a provincial one, as a judge has insofar as I'm aware an exemplary reputation. What more can I say? Again, as capable as any and typical of the outstanding bench that we enjoy in this province, those provincial appointments as well as. I have no hesitation in saying that.

I have disagreed with many judges in my lifetime for many different reasons, but I am hard-pressed—as a matter of fact, I can't tell you about any experience with any judge in this province that in any way impacted on my strong suggestion to you that we are blessed with one of the strongest benches, one of the strongest judiciaries

anywhere in the world. Our appellate court is a model for appellate courts. That's why you hear me from time to time take great offence at government members who get into judicial accountability and want to do evaluations of judges and that sort of thing. These people have no appreciation of how blessed we are in this province in terms of the quality of the bench. Again, Judge Osborne is part of that bench and he had a significant career as a federal appointment to the bench here in Ontario.

But I talk about judges because, you see, once again the manner in which judges are appointed has changed dramatically over the course of the relatively recent past. The reason it's changed is to bring integrity to the process as well as to the position and, no, New Democrats won't support this process.

Were this, let's say, an interim appointment to accommodate Judge Evans, who I suspect once again—Judge Evans's eagerness to fill in when we needed an interim was not objectionable to anybody, certainly not to New Democrats, and were the government proposing an interim appointment, New Democrats would probably have to reconsider—and I suggest to you we would—and take a far different approach to the appointment of but an interim Integrity Commissioner, because that has to be done quickly, there's some urgency to it, and it isn't for the five-year term with the prospect of successive terms, as indicated. I suspect that an interim Integrity Commissioner would deal only with those things that are of immediacy and urgency.

Understand that this appointment that is put forward by way of this motion today is the appointment that will reconsider MPPs' salaries over the course of his next five years and any subsequent terms to that. Where is the arm's length? You see, folks who support Bill 82, members of this assembly who support Bill 82—not New Democrats—Conservatives and Liberals who support Bill 82, their argument is that it creates an arm's-length relationship, isn't it? That's the argument, and it's an argument. New Democrats don't agree, but it's an argument. But by doing what you're doing with this motion, you're defeating the arm's length. That's what's scary, that's what's disturbing, that's what's frightening and that's what New Democrats object to.

One of the brief speakers to this appointment suggested—and I don't know the history. My caucus colleagues have not seen a CV from the named appointee. I suspect that my leader and I—my caucus mates are probably pleased for me to point out that Howard Hampton and I are the only two lawyers in the caucus—have some familiarity—

**Mr Gilles Bisson (Timmins-James Bay):** Very pleased.

**Mr Kormos:** Mr Bisson says they're very pleased for me to make that observation. We have some familiarity with Judge Osborne by virtue of reading decisions, and of course Judge Osborne's contribution to the insurance debate back a good chunk of time ago now. But my caucus colleagues haven't seen a CV, and I suspect that your caucus colleagues haven't seen a CV either, nor have yours.

It has been suggested—and this is a direct quote as I wrote it down. If I'm wrong, somebody will surely correct me, and if they're reluctant to correct me, I invite them to. But a speaker prior to me said that Judge Osborne's name "came up." I haven't got the slightest idea what that means. Was there a reference by someone else to the fact that "he showed an interest"? Was that the reference? Again, I don't know. How did his name come up? Were people playing Scrabble and they just happened to have the right letters in their tray? I don't know. Again, it's not to disparage Judge Osborne in any way, but you say his name "came up."

1940

Then I've got to go to this inevitable, irresistible inference, and that is the enthusiasm which was displayed for the appointment. I wonder whether commitments were made. I do. I don't know; I wonder whether commitments were made—not to suggest anything inappropriate or whether commitments were made, let's say, prematurely to the point that there would have been some significant embarrassment or loss of face had things not progressed as they should have.

I've never talked to Judge Osborne about this appointment and I'd be loath to. I don't think that's the way it's done, and if anybody else had suggested to me that they had an interest in the position, I would have said, "Fine, that's it. I don't want to talk to you any more. Give my staff person your name, your address, your phone number and fax machine and e-mail and those things, and when the process commences we'll make sure you're notified of its commencing."

I don't think it's kosher to be involved in such a way that could taint the process. We folks get increasingly familiarized with that every time—you know enough not to call a judge on behalf of a constituent, don't you? I have the names of some federal colleagues. One now of—I like him; he used to be a Conservative, now a Liberal. You mention "judge" and he says, "Never called him." The last time I saw him I said, "Judge"—"Never called him." It was almost a Pavlovian response. We know enough that you don't do that, you can't do that, and we should know enough not to make promises we can't keep, especially when they involve—

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** Mike Farnan said it was OK to write one, though.

**Mr Kormos:** We know what's inappropriate, and I just can't understand why anybody would want to have private conversations, when one is a member of this assembly and when one understands that the person with whom you're having that private—I'm not saying you can't say hello to people in the elevator if you're friends with somebody, but you shouldn't be talking about the position. That's my view. That's just my view. Boy, oh, boy, I could be out of step with everybody in here again, and I understand that. But it's my view that you don't do that, and at the end of the day it could be that all 102 other MPPs disagree. It won't be the first time.

The New Democrats made it very clear in the letter to the Speaker back on April 23 that we objected to the selection process the Conservative and Liberal House leaders were proposing, and that is in effect appointing an Integrity Commissioner behind what amount to closed doors. I'm sorry, there's no other way to put it.

The motion is here but we know—come on, there are only nine of us. We know that unless our arguments are incredibly persuasive—even then we know that this business is one where the motion is designed to pass. I suspect that we will hear very little from either the government or the official opposition during the course of the debate around this motion. We heard precious little during the course of opening addresses, when the Minister of Labour, who introduced the motion, spoke for but a fraction of the hour that he had available to him. Secondly, the opposition House leader spoke for but a fraction of the time available to him.

#### *Interjections.*

**Mr Kormos:** Please, we're talking about a very serious matter. Yes, New Democrats are standing up and repeating the proposition that we put to the Speaker on April 23, and that is that this is a very dangerous precedent. You see, it isn't even in accord with selection of officers, servants of the assembly, prior to the Ombudsman and Environmental Commissioner, because in those earlier instances there was all-party agreement. There were times when the government threw its weight around. I know, the Environmental Commissioner; the government threw its weight around again then too. But those are serious breaches of protocol.

One of the things this government has demonstrated very clearly is its capacity to show disdain for the opposition. One of the problems is that to date very few of the members of the government caucus have ever served in opposition. Some will have their opportunity; others will have their chance to observe from afar.

We were enthused by the appointment of Clare Lewis and the process and the unanimity of that choice, the all-party agreement and the way it was achieved. It was, yes, among other things, a consensus. I certainly see consensus as two different things. You've got low-quality consensus, where you toss so much out that there's very little substance left. But there is—and it's a harder process; it's a much more formidable task—high-grade, high-quality consensus. The appointment of Clare Lewis, I tell you, was a consensus that was a hard-developed one, but it was a high-grade one. You didn't have to toss a whole lot out the window to arrive at that consensus.

We told the Speaker, and we copied the House leaders from the Conservative and Liberal parties, and we told the Speaker, as I told the House leaders on April 23, that the process we needed to follow is the same one that applied when we selected the chief electoral officer. We said that the matter should go to an all-party committee where candidates would be interviewed, reviewed, properly vetted and where a decision would be rendered after these steps had been taken. We made it quite clear that anything less is unacceptable.

I, on behalf of my caucus went further, and in that letter to the Speaker, with copies to both the government and Liberal House leaders, said that this has nothing to do with the merits of any of the candidates for Integrity Commissioner and everything to do—everything—with following accountable and justifiable and transparent procedures. This is all about the lack of accountability, the lack of justification and the lack of transparency in this process.

It's why we can't support the motion. We are not going to be a party to a selection process veiled in the secrecy of a backroom deal, and it was a backroom deal. The fact that it was doesn't in any way serve the office of Integrity Commissioner well, nor does it serve the appointee named in this motion well. The backroom dealing is an insult to both the office of Integrity Commissioner and to the person named in this motion. I regret that both are being sullied by virtue of the agreement between the government and Liberal House leaders to avoid that process which could have been accountable, justifiable and transparent.

1950

Once again, I've made reference to the appointment of judges in the province. There was a time when there was very little process other than knowing the right people. There are people here who understand that, and that's not to say that all the judges or any of the judges appointed during that time lacked integrity or neutrality or talent.

**Mr Garry J. Guzzo (Ottawa West-Nepean):** Good for you.

**Mr Kormos:** Well, it's true. But, as you know, sir, in the recent past of two to three decades, that process has changed dramatically. I mentioned this a few minutes ago. I very much want you to hear it, because now when there's a vacancy for a judicial appointment there's an advertisement placed in any number of places, and people are invited to apply. Anybody can apply, and anybody does, but there's a process whereby those applicants are screened and they're interviewed by independent people and independent bodies, and then there's a short list made. That is then put to the cabinet for appointment. That's a good process, because there is accountability and there is justification and there is transparency in that process. That process doesn't exist in this motion tonight.

**Mr Guzzo:** You didn't like the judicial council?

**Mr Kormos:** Well, exactly the point. That was the old days. We've moved beyond that, and again that's not to say that any of those people appointed by that process were any less but for the process, because judges appointed in that process had to live with the inevitable suggestion, "You know why so-and-so made that ruling, because of so-and-so." That's why the process was changed. That's why there was a process introduced, so that no judge had to live under that cloud of somebody, wink, nudge, saying, "You know how that judge got his or her job." It's one of the fundamental and very good reasons why the process was improved.

Look at what we're doing to Judge Osborne. Look at what you're doing to Judge Osborne. I suggest to you,

should this motion pass, you are clouding his status as Integrity Commissioner in a way that doesn't have to be. New Democrats are trying to avoid that out of the most basic sense of what's fair, what's just and what is best going to serve the office of the Integrity Commissioner and, quite frankly, not only the members of this Legislature—we're the least important considerations when it comes to the office of the Integrity Commissioner—but in fact the public of this province, some 11 million Ontarians mentioned earlier. Public interest is what that office is all about.

How can you argue that the salary increase is arm's length when the appointment is so intimate? At the end of the day—and it appears by virtue of the time allocation motion that Bill 82 is going to pass, sooner rather than later, that it's not going to go out to public hearings the way New Democrats have demanded, that it's not even going to get to committee, where we were so pleased to see it. At the end of the day, there is going to be a salary set by an Integrity Commissioner, and not just once but over and over again. If any of you genuinely thought you were resolving some problems about MPPs' salaries, I'm telling you, you've compounded the problems by the manner in which you appoint this commissioner.

I wrote to the Speaker on April 23, with copies to the Conservative and Liberal House leaders. When writing to the Speaker, I indicated that I appreciated his role as a neutral moderator on issues of this nature. I requested the Speaker's intervention, knowing full well that the Speaker had very limited powers to intervene, because at the end of the day it's all about putting a motion before the House by the government House leader. If a deal had been struck between the government and the Liberals before that motion was put, that motion was going to pass sooner rather than later.

I asked the Speaker to please use his persuasive powers to have the matter of a new Integrity Commissioner go to a tripartite, an all-party committee, like the appointment of the Ombudsman, like the Environmental Commissioner, like the electoral commissioner went to. I pleaded with the Speaker, knowing full well that the Speaker had limited powers. Once again it's all about: the government moves a motion, strikes a deal with the official opposition, and then it's a done deal. I asked the Speaker to use whatever powers, persuasive powers, and even coercion that he could for the sake of openness and accountability. I indicated quite clearly that we won't settle for anything else, and we won't.

Imagine my surprise when I learned in a newspaper column that both the Conservative and Liberal House leaders, as the newspaper column related it, had written to the Speaker indicating their preferred designee without copying the New Democrats, without telling us of their plans to roll ahead with their scheme. To be fair, the government House leader, when I confronted her with it, acknowledged that it had happened, that it had taken place, and that's the way it was going to happen. There was absolutely no interest I seeking—the government's

interest and the Liberal Party's interest in seeking three-party agreement was, "Say 'agree' or else we'll do it without your agreement." I suppose that's one style of consensus. "Agree or else we'll do it without your agreement." Down where I come from we call that certain things that I'll leave down where we come from, because you're liable to find them unparliamentary.

That prompted another letter. Quite frankly, it prompted incredible concern on the part of the NDP caucus and its members. On June 20 I wrote a letter to the Speaker and spoke of what was an unseemly alliance between the Conservatives and the Liberals forming behind closed doors, and that's what it was. Look, had it not been for a Toronto Star columnist printing about it, I'm confident the New Democrats wouldn't have found out about it until the motion was served on us by virtue of notice of motion, because it was kept secret. It was kept secret, it was kept surreptitious, it was kept in the dark very consciously by the government and Liberal House leaders. I wrote to the Speaker on June 20 this year talking about, yes, the unseemly alliance between the Conservatives and the Liberals forming behind closed doors to force the appointment of a new Integrity Commissioner.

I referred to my earlier letter, April 23, copies of which had been sent to the Conservative and Liberal House leaders, where on behalf of my caucus, the New Democratic Party, I strenuously objected to this scheme, this secret process. I reminded the Speaker that in earlier meetings with other House leaders I had persistently advanced the NDP's firm position of the appointment following the same open process as other legislative appointments. I made it quite clear that the New Democrats are going to oppose the Conservative-Liberal drive to appoint their recommended candidate in secret, without due public process. I expressed that I was suffering even greater concern when I learned about the secret correspondence between the government House leader and the Liberal House leader and the Speaker, indicating their desire to proceed with this matter by way of the motion tonight.

I am concerned about secret deals being made between the Conservatives and the Liberals. I believe the public should be concerned about secret deals being made between the Conservatives and the Liberals. I believe that those interested in any element of credible parliamentary process should be concerned about the secret deals between the Conservatives and the Liberals. I suggest to you that it has become symptomatic of a new style of politics in Ontario, one that doesn't serve the parliamentary process well, one that doesn't serve the people of this province well.

2000

New Democrats don't want these secret deals, and I tell you, there was a secret deal made about this motion tonight—and the avoidance of a public and accountable and justifiable and transparent process for the selection of Integrity Commissioner. New Democrats oppose this motion because we believe that it's important, to maintain

the ongoing legislative tradition that's being developed, to retain the level of transparency and arm's length that was inherent in the appointment of, for instance, Judge Clare Lewis as Ombudsman.

Look, I understand that for one reason or another, some people may not want to undergo the scrutiny of a committee process. I understand that. Some very outstanding people have undergone that in any number of committee processes with respect to any number of appointments, none of them any less or more significant than the Integrity Commissioner's appointment, and none of them tied in as closely as this appointment is with a bill like Bill 82, whose proponents, whose advocates—the Conservative and Liberal caucuses—say creates an arm's-length relationship, when in fact what's happening tonight reduces that from arm's length to, I suggest to you, in fact very intimate.

Again, am I suggesting that Judge Osborne has been co-opted? No. But I am telling you that it's not enough for Judge Osborne to have integrity; the process has to have integrity, because, you see, some of us know Judge Osborne a little better than the general public does. The public has to have confidence in the Integrity Commissioner, just like the public has to have confidence in the Ombudsman. My goodness, the public has to have confidence in the Ombudsman. I believe that the process that the New Democrats insisted upon with respect to the Ombudsman, participated in, and that Conservatives and Liberals participated in, enhances the integrity of the Ombudsman, gives him legitimacy, credibility, makes it possible for him to do the job in the way it was intended that he do it.

You're doing the exact opposite with respect to the Integrity Commissioner; you're clouding a process that ought to be pristine and that every member of this House should want to make pristine. It's not good enough to say, "But we did it that way before." The fact is, we shouldn't be doing it that way any more, we shouldn't, and we've demonstrated that you don't have to do it that way, that there is an integrous way to do it. There's an accountable and justifiable and fair and transparent way to do it, and that's by a three-party committee; that's with applications being invited from people across this province and beyond; that's with a consideration of all those applications, with interviews, with the screening process and three-party agreement. Then you've got an Integrity Commissioner who can do his or her job unfettered by any stain or any cloudiness.

It's not fair to the people of the province, it's not fair to the person you appoint as Integrity Commissioner, to build this cloud over him before he is even able to begin his task. New Democrats continue to oppose the government and its Liberal alliance and their passion for this process. We continue to insist on a fair process, a just process, one that we participated in—

**The Acting Speaker:** Thank you; the member's time has expired. Further debate?

**Hon Mr Baird:** I'm certainly very pleased to have the opportunity to rise today and speak to the motion in front

of us to appoint Mr Justice Coulter Osborne as the Integrity Commissioner. This Integrity Commissioner doesn't work for the government. That position in Ontario works for all of us, works for the Legislative Assembly of Ontario. The choice of an Integrity Commissioner is certainly very important for that reason, because it serves all of us.

I'm going to share one comment that my colleague from Niagara Centre spoke of. He said it was important that we have an Integrity Commissioner who will inspire public confidence, and I believe Justice Coulter Osborne will do just that. He's got a tremendous amount of experience, appointed on a good number of occasions by other levels of government. He was called to the bar more than 40 years ago. He practised law. He was first appointed as a justice of the Supreme Court of Ontario back in 1978. He was then appointed as a justice of the Court of Appeal for Ontario in 1990 and then appointed Associate Chief Justice of Ontario two years ago. He has had a distinguished career and I believe can inspire the public confidence that my colleague from Niagara Centre spoke about.

It's important that we get on and make this decision. There has been a good deal of discussion in recent weeks, in fact months, about this. When Justice Robert Rutherford, someone of great integrity, left the position, Mr Justice Gregory Evans agreed to come back from retirement to take this position on an interim basis. It's important that we do get on and name a longer-term commissioner so we don't call upon Mr Justice Gregory Evans to continue to fill in this position.

The Members' Integrity Act has a long preamble, but one of the sections in it I thought was fairly apt. It said, "Members are expected to perform their duties of office and arrange their private affairs in a manner that promotes public confidence in the integrity of each member, maintains the assembly's dignity and justifies the respect in which society holds the assembly and its members." The Integrity Commissioner plays a pretty important role in that in three important ways, I would argue. He can adjudicate formal complaints under the act and respond to those when a member raises them and brings them to his attention. They undertake a periodic review of members' filings, of their public disclosure, and will require the members to pay a yearly visit to the Integrity Commissioner, who then files public filings with the Clerk of the Legislative Assembly of Ontario. So it's important we have someone in that. That process normally takes place in August and September, so it would make good sense to get this change made and allow a new incumbent the opportunity to engage in that process, where they're able to do what is the biggest job of the Integrity Commissioner. It would be a good opportunity for them to undertake that new responsibility.

It's also important for a number of reasons. The Office of the Integrity Commissioner and the Integrity Commissioner can receive inquiries from members on a regular basis. My office and I regularly will write to or call the Integrity Commissioner and say, "Listen, this situation's come up. What do you recommend we do?

What is it permissible for us to do? What do the requirements of the act allow?" That office will give advice and suggestions from time to time which I find tremendously helpful and that I know my constituency and ministerial staff find helpful.

I believe Mr Justice Coulter Osborne will inspire that public confidence, and it's important that the public have confidence in the system. Public cynicism has not run well for the institutions of elected officials. When I look back, in my constituency, at the members we've elected both federally and provincially over the last 25 or 30 years, people of great confidence, of great integrity, of great honesty have been elected and had the trust of people. Probably in the time since the Watergate scandal in the United States and in the successive problems here in Canada and indeed Ontario, there have been concerns brought up from time to time. We need an Integrity Commissioner to make those adjudications.

#### 2010

I look at people in my own constituency who have been elected: Bill Tupper served as a member of Parliament for four years, served as mayor of Rideau township before that, someone who brought great integrity to the process; Walter Baker, someone who served in Parliament for 11 years representing Nepean-Carleton, brought great integrity to this process, brought great integrity to the institution of Parliament. That's what the Integrity Commissioner is seeking to do: to inspire public confidence and to undertake the reviews, to undertake the inquiries and to undertake the adjudication of formal complaints, as I said earlier, as a good sounding board.

I think we've been fortunate to have two good incumbents in my time in the Legislature, both with Judge Evans and Judge Rutherford. I know Lynn Morrison, who works as the executive assistant in that office, does a lot of tremendously hard work to assist the incumbent in that position and we're fortunate to have capable, dedicated—I don't want to say public servants because it's not a public service position—people who serve the public and serve the public interest so diligently in this regard.

I don't think there is a requirement, to the best of my knowledge, that this individual whom we appoint as Integrity Commissioner be a judge, but certainly the power that this Legislature—it was actually the Parliament previous to my being elected, in 1994, but certainly for the proclamation—has given that office demands, in my judgment, someone with something greater than just administrative experience like we would have in an administrative tribunal, a quasi-judicial body, someone who can undertake the process and can consider and properly reflect on the tremendously important matters that are put in front of him or her. Certainly someone with the kind of experience that Mr Justice Coulter Osborne has is capable of doing that. Being a lawyer is certainly helpful and the experience that he's had in a successive number of responsibilities on the bench where I think he's always performed admirably, where I think he's always performed with great distinction.

If you look at the appointments that he's received, in fact, if you look at him being appointed in 1978 by the then government of Mr Trudeau, being appointed in 1990 by the then government of Mr Mulroney, being appointed again in 1999 by the then government of Mr Chrétien, it shows that he has the confidence of people from a number of political persuasions. Every time that it's been given to him, indeed additional confidence has been given to him following that, with the success of a number of additional responsibilities or promotions. He worked in 1987 as a commissioner on the inquiry into motor vehicle accident compensation in Ontario, pointing to that fact again here in the province of Ontario.

Each year the Integrity Commissioner comes forward with a report on the dealings in his office. This takes two forms: from the yearly filings that he does, he files that report with the Clerk of the Legislature, and then he comes out with various inquiries that his office or her office, or whoever it may be in the future, has received the past year. I find those tremendously helpful as a member. I take the time and I require all my staff to take the time to read them each year and to recognize the challenges.

Sometimes it can be as simple as a letter going out on a member of provincial Parliament's Legislative Assembly letterhead as opposed to something representing responsibilities in the executive council; sometimes even identifying what's a quasi-judicial tribunal versus what is an administrative tribunal; where it's appropriate to write the minister, where it may not be appropriate to write the agency directly. It's tremendously important that we get someone of high calibre, of wisdom and of integrity to be able to make these adjudications, someone like Mr Justice Coulter Osborne, who I believe will inspire public confidence in the process.

The position obviously became vacant a number of months ago with the resignation of Mr Justice Rutherford. Judge Evans has taken on the position. It was on a temporary basis and I think it's incumbent upon this Legislature to have the kind of debate that we're having. I appreciate that my colleague from Niagara Centre disagrees with the process. Reasonable people can disagree, but at some point you've got to move forward and make a decision and get a new incumbent in place to undertake the significant responsibilities which this office holds. That's why I'm very pleased to have had the opportunity to speak to this important motion. I'm hoping that we can have a good debate this evening and that we can pass the motion and move on to other important business for the people of Ontario later in the week.

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** I'm pleased to rise tonight to speak to and support the resolution standing in the name of the government House leader appointing Mr Justice Coulter Osborne as the new Integrity Commissioner.

I listened to the debate, particularly the argument advanced by the member for Niagara Centre. I don't want to spend a lot of time tonight on the process, though I do recognize that in these matters I suppose process is

important. I wasn't privy to the conversations between House leaders. Quite frankly, I wouldn't expect that ever and always there is going to be unanimity. I would hope there would be a best effort to find agreement among all members of the Legislature.

But I simply want to say I congratulate the government for recognizing that in this role, an extremely important and central role to the effective operations of the Legislative Assembly and the executive council, they have chosen to nominate a distinguished Superior Court justice. I believe the Legislature did a very wise thing in 1994 by enacting the Members' Integrity Act, which, under section 23, establishes the Office of the Integrity Commissioner. But I think it is even more important that the public recognize that we as a political community, as a parliamentary community, recognize it is very important to recruit to the Office of the Integrity Commissioner someone who is learned in the law and is experienced in the senior levels of the judiciary. I think it's not only important that we recognize the significance of the role, but I think it is very important for citizens, whether they live in North Perth or in the Ottawa Valley, to look and say, "Who is the person who is supposed to arbitrate in the public interest the private and commercial affairs of members of the assembly, including members of the government?" I've always felt it is a very powerful and positive signal for that person to be a senior member of the judiciary.

A few years ago there was some discussion here about perhaps making that position a position of the bureaucratic establishment. I want to say that I think the federal arrangements are absolutely deplorable. I do not know how self-respecting members of Parliament nor how people in the federal establishment can, in the year 2001, accept the transparently outrageous situation where you've got an Ethics Commissioner who is, I understand, a public servant and who reports directly to the Prime Minister. That is an embarrassment that no self-respecting member of Parliament or member of the executive council in the dominion government should accept. I say, I hope in not too self-congratulatory a fashion, that our mechanism as set out in the 1994 legislation is obviously and infinitely superior.

What we've seen in the so-called Shawinigate affair is a perfect example of why you do not want the arrangement they have in Ottawa. Even if, in fact, Mr Wilson has gone about his business in a thoroughgoing fashion, as he probably has, who can have respect for such a decision when the so-called arbiter, in this case, is investigating the behaviour of the Prime Minister but must report his findings about the Prime Minister to the Prime Minister? It is absurd.

So I simply say I congratulate the government for bringing forward this resolution and nominating someone I know to be a distinguished member of the judiciary. I think, in Coulter Osborne, we've chosen very well. I say again to my friends in the government that I appreciate you have resisted the temptation that was abroad in the land a few months or years ago to perhaps reduce the

status of the Ethics Commissioner from that of a senior judge to someone at the department of the Attorney General or elsewhere in the public service. Not to diminish those people, in my view it is simply unacceptable that we would ask a bureaucrat, a member of the public service, to stand in judgment of honourable members, including members of the executive council, including no less a person than the first minister himself or herself. So I think we have a good appointment, I think we have an excellent appointment, and I simply want to stand here tonight and make that point. I can't speak to the process because I wasn't involved.

2020

I want to say to my friend from Niagara that I understand, and quite frankly I share the concern about asking the Integrity Commissioner to take up the cudgels we are offering him in Bill 82. It is not my position. I do not think it is a good or healthy thing for this Legislature to establish, in a sense, a commercial relationship with our father confessor. I understand that I am very much in a minority in that position, and I quite frankly am in a distinct minority in my own caucus. I think it is a very bad thing. If I were the Ethics Commissioner, the Integrity Commissioner, I would go some very considerable distance to avoid the responsibility, though I suppose at the end of the day, what can I do? I am a servant of Parliament and if Parliament says, "Thou shalt do this," what am I to do, short of resigning?

But I ask members, and I think the member from Niagara makes a very good point, what are we asking the Integrity Commissioner to do? The individual who is going to, as someone pointed out—I think it was the previous speaker, the Minister of Consumer and Business Services. Let's go to the preamble of the 1994 legislation, the preamble to the Members' Integrity Act:

"It is desirable to provide greater certainty in the reconciliation of the private interests and public duties of members of the Legislative Assembly, recognizing the following principles:

"1. The assembly as a whole can represent the people of Ontario most effectively if its members have experience and knowledge in relation to many aspects of life in Ontario and if they can continue to be active in their own communities, whether in business, in the practice of a profession or otherwise.

"2. Members' duty to represent their constituents includes broadly representing their constituents' interests in the assembly and to the Government of Ontario.

"3. Members are expected to perform their duties of office and arrange their private affairs in a manner that promotes public confidence in the integrity of each member, maintains the assembly's dignity and justifies the respect in which society holds the assembly and its members.

"4. Members are expected to act with integrity and impartiality that will bear the closest scrutiny."

That is, I think, very properly a high-minded purpose. It is to that purpose that we delegate to the Integrity Commissioner in the public interest a very important

adjudicative role, a very important and delicate decision. Think back not that many years ago to what happened in British Columbia, where you had that rare and exceptional and incredible case of the then commissioner—help me here, Claude—Ted Hughes, confronting the Premier of British Columbia, Mr Vander Zalm, in the case that ultimately led to his retirement from public office.

I think I remember that case correctly. Poor Mr Vander Zalm didn't believe he had a conflict of interest unless it became public, as I recall that case, and so we had Mr Justice Hughes—I think he was a judge; he may not have been, but a very esteemed gentleman nonetheless who has done the work, not just in British Columbia but has advised in maybe one or two other of the Canadian provinces. But imagine a situation where you're the Ethics Commissioner or the Integrity Commissioner and you have on the line the leader of a government who has done some things that are egregious insofar as breaching the statute is concerned, if they had one, or the guidelines, if those were the rules. I think under those conditions, you want to have the most proper relationship between the Integrity Commissioner or the Ethics Commissioner and all honourable members.

So I accept the argument that contained within Bill 82 is something that, for me, is not very acceptable, either to myself or, from my perspective, the Legislature. We'll debate that, I suppose, and it has been debated in other places.

I want to say tonight that it's been my experience over the past 15 years, both as a minister of the crown and as a member of the Legislature, to have dealt with very distinguished Ontarians. John Black Aird, I remember when we were forming a government, was involved in taking us as potential candidates for cabinet through a fairly detailed exercise. Certainly Justice Gregory Evans is someone I know well and for whom I have the highest regard, someone who has counselled me on many occasions and, I felt, very constructively. Mr Justice Rutherford was someone with whom I dealt in a relatively short period of time, and I must say that in my experience with Mr Justice Rutherford, I felt well served, although there was definitely a cloud, regrettably, over the office in his last weeks, for whatever reason. I simply want to make the point that in my experience with Mr Justice Rutherford, I found him to be extremely accommodating, forthright and helpful.

I am very confident that Mr Justice Coulter Osborne will serve us with distinction, and I note, as other members have, that he has served in the public interest here in Ontario in a number of ways. I remember being in government in the late 1980s when our cabinet appointed him commissioner into the whole business of insurance and motor vehicle accident compensation.

I say tonight that I think we have an opportunity to say some things about an important mechanism. I want to say, and I'm glad the Chair of the Management Board is here tonight, and I don't want to belabour this point but I am very concerned about this Red Tape Commission, not

because I think there shouldn't be some rigorous ongoing mechanism in any government to deal with the problems, the challenges of bureaucratic tape and tangle. Most governments across the developed world are certainly seized of that. One thinks of Vice-President Gore and his initiative in Washington.

I have no difficulties with, in fact I understand entirely, the argument and the impulse that wants to get at that. As a citizen, I'm happy to support it. But the architecture that has been established in this Red Tape Commission is absolutely unacceptable if the submission the Cabinet Office has made to the privacy commission in an important decision of two years ago is to be credited. Because according to the Cabinet Office, a position that's been confirmed by an affidavit signed by the secretary of that Red Tape Commission, we now have a situation where we have members of the Legislature, not of cabinet, and now one private citizen, who according to the Cabinet Office submission have wide-ranging access across the entire waterfront of government activity.

We have had Mr Gilchrist and Mr Sheehan confirm the fact that they are seeing, on a regular basis, very sensitive insider information and they are not subject to the same conflict-of-interest guidelines that apply to ministers of the crown. I say with all due respect, we simply can't have that.

**Hon Rob Sampson (Minister of Correctional Services):** They take an oath of secrecy.

**Mr Conway:** They take an oath of secrecy, to be sure. So do cabinet ministers. But cabinet minister are expected to take more than an oath of secrecy, as this act establishing the Office of the Integrity Commissioner makes plain. What it is cabinet ministers are specifically precluded from doing is set out in detail in this act, the Members' Integrity Act, 1994. I ask this House, are we serious? Are we really serious about leaving the door open to the kind of insider information that is clearly available on an ongoing, daily basis to these Red Tape Commissioners without, at the same time, wanting to subject those people to the kind of accountability standards and oversight that apply to ministers of the crown? I think not.

2030

I would hope that before too long the government and the Legislature address this situation, because again, we are in a business, all of us, that is not exactly esteemed in the community.

I was just thinking, as I prepared for these brief remarks tonight, look at what the Canadian public has been treated to in the last number of years. I'll say this in a completely ecumenical and non-partisan fashion. I've always imagined that one of the most antiseptic political cultures in the British Commonwealth was Saskatchewan. Look at what we have seen in Saskatchewan in the 1980s—unbelievable, tragic, a total mess, apparently: convictions, suicides, jail terms. Who would have thought it? I wouldn't have, not to the extent—it looks like a rot that went right through much of the Legislature and government.

What have we seen in British Columbia in recent times? And we've seen it in other Canadian provinces. We've seen the situation in Ottawa. I say again, as a politician, someone who's proud of being in public life, I am very concerned about the kind of injury we seem to want to visit upon ourselves. "I'm only guilty of conflict of interest if I get caught. I think I can go to work in the morning and see all this sensitive government information, most of which has a huge commercial value, and walk out in the afternoon and carry on my business."

Even if you are perfectly pure, I'm going to tell you, there are going to be people in Renfrew and Toronto and Woodstock who are going to say, "Boy, you are going to have to be superhuman to avoid the temptation to act on what it is you know." All of us here know why we have to be governed by fairly tough and sensible rules. We ought to, to the very best of our ability, go the extra step to create an environment, as this act suggests, of public confidence in all matters that we do. Of course there are going to be failings and sinners, and you know, there'll be sinners nicely distributed around the several political caucuses so we'll always be able to say, "Well, you had Patti Starr," and "You had somebody," and you know we'll cheer and clap, except the jury of the public will look at us and say, "Whom do you think you're kidding?"

I've watched good friends—I think of Darcy McKeough, one of the ablest people who ever served here, get caught with that silly little business about something involving his brother. It was entirely accidental, and he walked, in a very honourable way.

I think of our friend Runciman. Bob and I don't always agree on a lot of things, but I've a lot of respect for Bob, and I'll say one thing: it just infuriates me to this day that he had to leave this cabinet a couple of years ago over something that I know if he had anything to do with, it was all the right advice. One of our colleagues, one of your colleagues, a member of the cabinet, and he walked. Why? Because some little twit in the Premier's office wouldn't listen to what undoubtedly the Solicitor General was saying, what his own department was saying and what a lot of smart people in the government were saying.

**Hon Mr Sampson:** Been there, done that, Sean.

**Mr Conway:** Yeah. But we're the politicians. We're the ones who put our names on the bloody ballot. The question I ask, as I prepare to take my seat, is, where did this peculiar logic come from? Listen, I've made my mistakes, I've done more than my share of stupid things. I'll accept my responsibility, whether it's on Bill 82 or anything else. The people of Renfrew will know, at the end of the day, what I did and why I did it.

But I want to tell you, when I see people like the now Minister of Economic Development walking the plank for a mistake made by some unelected twit who wouldn't listen to the advice, I'm telling you, it makes me really happen to support this resolution tonight.

**Ms Shelley Martel (Nickel Belt):** Speaker, we intend to be here for a while. I know my colleague Mr Marchese, who has just arrived, is eager to speak, and my

colleague from Timmins-James Bay, and of course our leader will, so we're going to be here for a while tonight.

I think where I want to begin is to go back to the comments that were made by the Minister of Labour in the short time that he spoke before he disappeared. I regret the comments that he made, frankly, because I thought they were singularly unfair and not quite correct.

The first thing he said was that we were lucky to attract such an individual, and of course he was making reference to Justice Coulter Osborne. He would leave the impression with the public who are listening to the debate tonight that there was some kind of process whereby he came forward and was selected. I don't know if he did that purposefully. Maybe it was unintentional.

I'm not here to make a comment about Coulter Osborne; I don't know him. I've never had dealings with him. In the time that he was doing work with respect to auto insurance, it was my colleague Mr Kormos who would have had dealings with him, because he was dealing with insurance matters. I've had no personal involvement and no involvement with respect to cases around auto insurance with him at the time that he was doing work for the government of Ontario. So we may well be lucky to have attracted such an individual, because what I hear of him is all very good.

The problem is that the minister would leave an impression with the public that somehow he was selected out of a pool of other qualified candidates who came before members of this assembly, and was selected by them to be appointed as the Integrity Commissioner. There was no such process around this appointment, and I'll speak further about that.

The second thing the Minister of Labour said, which I deeply regret, was that the NDP, in not being unanimous with this decision, was somehow providing a great disservice to the people of Ontario because we are not unanimous in this name going forward. Again, the minister would leave the very false impression with the public watching this debate that somehow there was a process that we were party to, and that at the end of the day we just didn't like the choice of the candidate and so will not be unanimous in putting his name forward.

Again, nothing could be further from the truth, because there was no process here. What happened, if we are going to be honest about it—and I say this to both the Liberals and the Conservatives—is that a deal was struck about the choice of this candidate behind closed doors, with no kind of public process, with no kind of input. I suspect, if we really got to the heart of the matter, and I don't anticipate that we will, that a commitment was made by the government to the justice with respect to the appointment and the government went to the other two House leaders assuming there would be a rubber stamp, and there wasn't. And now here we are: the two parties, Conservatives and Liberals, will go forward with this name, and somehow the NDP is to be criticized because we don't want to be party to what was, in essence, in all honesty, in truth, a behind-closed-doors, secret process with no input—not only from the public, but no input

from other candidates. There was no other choice to be had because this was the only name that I suspect the government put on the table when it was put on the table to the other two House leaders as far back as February 2001.

#### 2040

Let me deal with the process, because I think it's really important that the public know there wasn't a selection process here at all. We are being presented—when I say “we” I mean New Democrats and then the public generally—with what is a fait accompli. You see, what I think happened in February—and I wasn't there because I'm not our party's House leader. But what I think happened, after we had some problems with respect to Justice Rutherford—and I regret that those things occurred, but they did—there was a decision made to have Judge Evans continue on an interim basis, and New Democrats appreciate that he was prepared to serve on an interim basis until a new Integrity Commissioner could be appointed.

That's where we part company with our friends in the Liberal and Conservative parties, because I think what happened is, after a decision was made by the House leaders to have Judge Evans fill in on an interim basis until there was a new selection, the whole thing broke down. I think the government came forward with the name of Judge Osborne and said very clearly to the other two House leaders, “Here is who we would wish to appoint as the Integrity Commissioner,” and that was the beginning and the end of the process, because the fact of the matter is we've never got beyond that point.

The Liberals have agreed with the government putting forward the name of Justice Osborne, and I heard the House leader for the Liberal Party say here this evening, “Mr Osborne's name came up,” just bubbled up out of thin air, as if by magic. It was put on the table just like that. Imagine that. What a process. His name just came up. I thought to myself, isn't he lucky that his name just came up. I bet you there were a few other Superior Court Justices who would have liked their names just to come up too with respect to this appointment.

Let's get serious. His name came up because the House leader for the government came in and said, “Here's who we want to select.” That's how his name came up—nothing magical about this process. It wasn't any more complicated than that. “Here's who we want. We've already talked to him. He's agreed to take the position, and now we want your endorsement.” And we said no. We said no, not because of the individual involved. I don't know him.

**Mr Rosario Marchese (Trinity-Spadina):** I know him.

**Ms Martel:** Maybe my colleague the House leader does. Maybe he does from his days in court. I'm not sure. It doesn't matter. The point is that if you're going to have a process to select an Integrity Commissioner, who is an officer of this assembly, why would we not follow the same process that we have recently followed with respect to the selection of the chief electoral officer, with respect

to the selection of the Ombudsman, with respect to the selection of the Environmental Commissioner? What did we do in those cases? What did we do? The public needs to know. In those three most recent cases, an all-party committee was established. We had representation from the Conservatives, from the Liberals and from our caucus. Mr Marchese, who is here and who was involved in most of this, is going to speak to this process later and to how effective it was. But we have lots of time to speak tonight—

**Mr Marchese:** I will speak to that.

*Interjections.*

**The Acting Speaker:** Order. I don't like the cheer-leading section; it's leading to other things. I would ask the members on my right to be careful that they aren't drawn into things that they wish they weren't. I would ask the member for Trinity-Spadina, if he would like to talk, to take his seat.

The Chair recognizes the member for Nickel Belt.

**Ms Martel:** The member for Trinity-Spadina will speak to his involvement in these processes. But as an outsider looking at it, I can say the following occurred. An all-party committee was established. That committee then went out and publicly advertised for the position in question—paid to advertise in newspapers, had the information on the Internet, it was probably posted on the Legislative Assembly channel as well—and actually made the public aware that the position was open and invited applicants to apply. What a novel process. Isn't that intriguing? Not very complicated. Then applicants sent in their CVs, indicated their interest in the job and from there a subcommittee ranked those applicants. In all three cases, I understand, there were numbers of applications from any number of qualified people from within the province and outside.

The committee was then charged with ranking the applicants as the curricula vitae and other information came in, and the committee made a determination to interview applicants. In each of the three positions that I've described, a number of applicants were short-listed and came before the committee in a public process on the record and were questioned by members from the committee about their interest in the job, what they hoped to bring to it, what their qualifications were etc. So there was an interview process that actually took place by members of this assembly for positions for people who are to serve members of this assembly, and then decisions were made from the committee about who would be the successful applicant. That is a very open, very public, very transparent process that has occurred with respect to the three most recent appointments that we have been charged with making with respect to three officers of this assembly. That's the most recent process that we have followed for no fewer than three officers who have been selected.

So why do we have a difference in this process with the Integrity Commissioner? Why is it that neither the Conservatives nor the Liberals were interested in a similar transparent, open public process to choose the Integrity Commissioner? I don't hear a reason for that. I

haven't heard members of the other two parties say why they were not interested in having this position, that of the Integrity Commissioner, advertised, to invite applicants, to go through a screening process of their CVs, to make a decision about a short list to be interviewed, to have those interviews by that all-party committee and to make a selection that hopefully could be unanimous. Why did neither the government nor the Liberal Party want to do that in this case?

It's not enough for me to hear the House leader for the Liberal Party say, as he did tonight, that as a result of what's happened here with this appointment the government is now interested in having some discussions and some debate and dialogue about a more formal process for the selection of officers of the assembly. Well, fine and good, but why aren't we applying a public process for this appointment? Yes, I'm interested in a formal process for the future, but I'm also terribly interested in the process right now for this appointment. Let's be clear: there was more than enough time for that process to occur—more than enough time. We could be here tonight debating on a name unanimously accepted if the government and the Liberals had chosen not to go down that path of an open process.

Our House leader wrote to the Speaker, wrote to the two House leaders for the Conservative and Liberal parties, as early as April 23 and said we will not participate in the naming of a single individual that the government has brought forward for this position; we will not participate in a behind-closed-doors, process with respect to the selection of an officer of this assembly. We will certainly not do that when, in the last three appointments we've made of officers, we've used a completely different process that has been transparent, has been open, has been accountable.

**2050**

We made it clear to the Speaker and the House leaders then that we were not just going to rubber-stamp the name of this individual and we made it clear why. We said we would be happy to participate in an all-party process to deal with the selection of this individual. That was as far back as April 23.

If the government and the Liberals had been interested in an open process, we would have completed that process here tonight. We would have been here tonight, I suspect, after having received expressions of interest from any number of individuals, highly qualified individuals too, after having reviewed their CVs, after having short-listed them and after having interviews, and we could have no doubt come to the selection of the individual we felt was best qualified out of a field, out of a range, out of a pool of qualified candidates.

The reason I regret we're dealing with this motion here tonight is that it didn't have to be this way. We sent a signal clearly to the government and to the Liberals over two months ago that we were prepared to participate in a process that has been used most frequently and most recently in this place, and that's what we should do to get to the position of appointing an Integrity Commissioner.

We say that because, in my view, it is terribly important to be sure that the process itself has some integrity if you're to convince the public out there that this is an individual who is in the best position to look after the interests of MPPs, especially with respect to what that individual has to deal with, which is our personal affairs and the disclosure of our personal financial affairs.

It's terribly important that the public have confidence that we have selected the best candidate out of a field of candidates, and we do not have that in this case. That is not a reflection of Judge Osborne's abilities; it's a reflection of the process itself. None of us can stand and say, "We heard from a great number of highly capable, highly competent, highly qualified individuals and we selected the best one among them." That's not what we have in place. I think we do a disservice to the public, to ourselves and, most of all, to the individual who's going to get this position, because we cannot with confidence say we went through an open, accountable process and chose the best candidate from that process.

The other reason I am terribly concerned about what we are doing here tonight relates back to my comments when I spoke in opposition to Bill 82. I said at that time that if the government was adamant about having the determination of pay sent off outside this place, that is, not dealt with by MPPs, then the least the government had to do was ensure that the body that dealt with that matter was completely arm's-length from MPPs, and it is not. I raised that concern last week and I will raise it again here. A new, additional responsibility that this government will give the Integrity Commissioner as a consequence of Bill 82 is to determine and to put into effect MPPs' pay.

I remind members, this individual is an officer of this House. We, as MPPs, establish the terms and conditions of his employment and his pay. If we are going to demonstrate to the public that his determination of our pay is arm's-length, then he cannot be the one making that decision. He should not be the one. He cannot be the one. We cannot think for a moment that there won't be a public perception that it's tainted and jaded by the fact that we are here tonight going forward with the name of the individual who did not go through a public process—not at all—and he is the same one who is going to determine MPPs' pay over the next number of months.

We should be as far away from that as possible. We should not be putting ourselves in that position. It taints all of us and puts a cloud over all of us when that is the process that will deal with our pay and the process for the individual who got there to determine our pay was not a public one, was not an accountable one. I regret that we are in this position tonight, because I believe we could have had a public, accountable process if the government and the Liberals had wanted to. I regret that they didn't want to. Otherwise, I think we would have had a much different decision and debate here tonight.

**Hon Norman W. Sterling (Minister of Consumer and Business Services):** I just want to put on the record

what happened with the last two integrity commissioners when they were appointed. When Justice Evans was appointed as the first Integrity Commissioner of this place, the Premier of the day, I think Mr Peterson, phoned the two opposition leaders, one in the Conservative Party and one in the NDP. It was done over a phone call in five minutes. They wanted to know a little about the background of Judge Evans, and it was done in five or 10 minutes. That's essentially what happened with the appointment of the first Integrity Commissioner.

The second Integrity Commissioner, Judge Rutherford—I participated in that as the government House leader, in 1997-98. There had been a lot of discussion with the previous House leaders by my predecessor as the House leader, Dave Johnson, as to a replacement for Judge Evans, who wanted to retire. There was a lot of going back and forth and whatever. I went to Judge Evans and said, "Do you have a recommendation for your replacement?" Judge Evans recommended Judge Rutherford. I talked to the two other House leaders and they said, "Judge Rutherford is fine with us." The deal was done in about five minutes. We passed a resolution in both cases in the House, and it was done.

What I find amazing here is that we have an excellent, excellent candidate in the candidate we have here. We're very lucky to get Coulter Osborne to accept this position, to take this on as a task after his eminent career as a justice in this province. Before, the three parties were able to get together and say, "No, we don't need to go through a process. We have two excellent candidates. We can check into their background ourselves before giving our OK," and we did it. We did it by every party acting, in my humble opinion, in an adult, mature fashion and saying, "Why do we need a long process if you've got the best candidate you probably could get," or one of the best candidates, "who is willing to take on this very difficult job?" I think we're lucky to get Coulter Osborne.

The arguments put forward by the NDP that previously we had an open process for these appointments is wrong. It's just not the way it was. It didn't happen. All three parties agreed, as they across the way say, behind closed doors. But there's nothing "closed doors" about this at all. Members of the Legislature have their opportunity to vote in favour or against this resolution. They all have the opportunity to find out about this particular individual and his capabilities to do the job.

I have no problem voting for this individual. He is stepping down now and retiring from a very illustrious career on the bench. I think we're lucky to get him. I'm not sure that in this particular position you can have the kind of process you can have for the Ombudsman, for instance. It's a different position. I think it requires a different process. It requires delicate negotiations with those who might or might not step into this job, depending on how that particular process goes. In the past it worked well for the two previous commissioners. The NDP didn't find any fault with it then and I don't think they should find any fault with it now.

2100

**The Acting Speaker:** Further debate? The Chair recognizes the member for Elgin-Middlesex-London.

**Mr Peters:** Thank you very much, Speaker. It was a pleasure to see you this past week in St Marys at the Canadian Baseball Hall of Fame induction ceremonies. It was a wonderful ceremony and great to see the Speaker there representing the province. It truly was a good ceremony. Even though it's not my riding, if you've never been to St Marys and the Canadian Baseball Hall of Fame, I really urge you to go, because that sense of history and heritage is everywhere around you.

I have to make a comment to the previous speaker, the member for Lanark-Carleton. I've watched the honourable member over the years and I've always watched his attire in this Legislature. I know it's darn warm in here tonight and I'd love to open the windows, but it's the first time I've ever seen the honourable member appear before this Legislature without a tie on. But I'm going to leave mine on.

This is an important government motion we are dealing with this evening, dealing with the appointment of the Integrity Commissioner.

The Members' Integrity Act, 1994, which was proclaimed in 1995, is designed to enhance public confidence in the integrity of government by establishing standards of personal conduct for ordinary members of the Legislature such as myself and for cabinet members from the government side. The legislation provides for the appointment of an Integrity Commissioner by the Lieutenant Governor in Council on the address of the assembly. The commissioner is an officer of this assembly and is appointed for a term of five years and may be re-appointed for subsequent terms. The Lieutenant Governor in Council may remove the commissioner at any time for cause on the address of this assembly.

The act requires that every member, within 60 days of being elected, file with the commissioner a private disclosure statement containing information about the member's income, assets, financial interests and liabilities. After reviewing and discussing this statement with the member, the commissioner prepares a public disclosure statement summarizing that information. The statement is filed with the Clerk of the assembly and is available for examination by the members and the public.

On that point, I just want to stop and relate my own experience following my election in June 1999, suddenly having to start work on preparing this disclosure statement. It was quite an experience for me to really lay open everything there was about my personal financial interests.

**Mr Bruce Crozier (Essex):** That's because you've got so much money.

**Mr Peters:** I didn't have so much money. I got a great raise when I was elected to this Legislature in June 1999.

When I was elected and had to prepare this statement, I'll never forget that day of going to visit the Honourable Justice Rutherford. I visited the office at 1001 Bloor Street, the 13th floor. I walked in. If you've never

experienced before having to lay everything about your financial life on the table, I'll tell you, my bank accounts weren't very full and I had a mortgage and a car loan and I was really quite embarrassed walking in there. Look at some government members who left lucrative careers in business or industry and came to this place. Here I was, the serving mayor of the city of St Thomas, coming and laying everything on the table, and it was quite a heart-wrenching experience. But Justice Rutherford quickly put me at ease. My financial disclosure statement is now available, like everybody else's. In that respect, for all 103 of us, who come from different backgrounds and different parts of the province, the one thing each of us in this Legislature has in common is the fact that all our financial records are a matter of the public record.

The Integrity Commissioner has two main duties under the Members' Integrity Act. The first is to give opinions and recommendations to members regarding their obligation under the act. If a member seeks the advice of the commissioner regarding compliance with the act, the commissioner is authorized to make inquiries and provide the member with a written opinion or recommendation.

Again, relating to 11 years' municipal experience, the Municipal Conflict of Interest Act governed us but it was really left to your own responsibility to judge whether or not you were in a position of conflict of interest. If you weren't sure, you couldn't go to the city clerk, because the city clerk couldn't give you that advice. Then you would have to go and find a lawyer who had experience in municipal law and could give you sound information as to whether or not you might be in a conflict of interest position.

When I came to this Legislature in 1999 and learned of the Office of the Integrity Commissioner, I was very much relieved, as a member, that I had an office I could go to to get information on whether I would be in a position of conflict. It started from the very first day, with the location of my constituency office. I knew that my landlord had a number of government offices around the community and in other communities, and I wasn't sure, right off the bat, whether I would be in a conflict of interest in dealing with my landlord and him dealing with other branches of government trying to procure business for himself. The Integrity Commissioner quickly sent that letter back informing me that no, I wasn't in a position of conflict of interest, because it wasn't for personal gain.

I can think of a number of other issues too. I think every one of us have experienced in our constituencies a feeling and a perception among the public as a whole that we as elected officials have these magical wands we can wave, that we as elected officials can pick up a telephone and call a judge, that we as elected officials can call a crown attorney, that we as elected officials can intervene at various quasi-judicial tribunal hearings. Sometimes when you relay that to the public, the public doesn't accept it. They think, for whatever reason, that we're trying not to serve their needs. Again, this is where the Integrity Commissioner has played a very useful role for

me as a member in giving assurances to my constituents that, no, I'm not trying to duck the issue they have in front of me, but I do have to respect judicial and quasi-judicial processes, and that it's improper for me as a member to interfere.

There are countless times—and I know especially in my first six months of office it was probably on a weekly basis or close to it—that we were sending letters to the Integrity Commissioner asking for an opinion on this and an opinion on that. The Minister of Community and Social Services made reference not only to Mr Justice Rutherford but to Mrs Lynn Morrison, who really fields the day-to-day operations in that office. I can tell you that Lynn has been a great servant of this Legislature as well, ensuring that proper information is given to me and that I act appropriately as a minister—as a member, and hopefully as a minister some day.

**Mr Rick Bartolucci (Sudbury):** A Freudian slip.

**Mr Peters:** A Freudian slip. I'm one of those members who hasn't experienced the government side yet.

**Mr Bartolucci:** In 2003.

**Mr Peters:** In 2003. Yes, it's going to be a great year. You might be waiting a long time too. We're both in the back row, so who knows what's going to happen, honourable member.

The Integrity Commissioner has played a vital role for each of us in serving our constituents, and I think it's important that we don't lose sight of that.

The other important role the Integrity Commissioner plays on our behalf and, more importantly, on behalf of the citizens of this province, is to investigate complaints that are made. There may be times when somebody feels we have acted improperly, and it's incumbent on the Integrity Commissioner to investigate those complaints. A complaint can be made by an individual member, by resolution of this assembly or by the cabinet. When a matter is referred to the commissioner by an individual member or by the assembly, the commissioner may conduct an inquiry and must report his or her opinion to the House. If the cabinet refers the matter, the commissioner must report his or her opinion to the clerk of the executive council.

The duties and responsibilities of the Integrity Commissioner were further expanded in 1999, when the Integrity Commissioner was given additional duties under the Lobbyists Registration Act, 1998. This act requires that paid lobbyists report their lobbying of public office-holders by filing a return with the registrar. The Integrity Commissioner is appointed as the registrar for purposes of the act and is responsible for maintaining and creating a registry of all returns filed under that act.

2110

This registry is available for public inspection, and I've used it myself. As members, we're constantly being lobbied, being approached by various groups, organizations and individuals. I do check our Web site, the assembly Web site, dealing with the Integrity Commissioner, to find out whether a person is actually registered as a lobbyist. It's another useful tool.

I had an instance in my own constituency. It came to my attention there was an individual who was prepared to go and lobby on behalf of a municipality. The information I received was that that individual was going to be paid to conduct lobbying efforts on behalf of the municipality. It turned out, as I got wind of this information, that I checked the lobbyists' list, and that individual had been registered as a lobbyist but not for that municipality. I quickly and openly informed that municipality that the individual they were considering hiring as a lobbyist was not registered and I didn't think it was appropriate that the municipality would want to get its knuckles rapped for something like that. Quite frankly too, I didn't think it was appropriate that a municipality would be paying a lobbyist to deal with the government; I don't think that's appropriate in any way. The registrar is also allowed to issue non-binding advisory opinions and interpretation bulletins.

The Integrity Commissioner is required, under the Members' Integrity Act, to report annually to the Speaker. When I was elected in 1999, one of the things I very much appreciated, that had been forwarded to me as a new member of this Legislature, were previous copies of that annual report. They were a very good read, not only from the standpoint of better understanding of what some of my roles and responsibilities as a member were going to be; they also gave me some insight into some potential issues, pitfalls and roadblocks I might run into. But more importantly too, they were extremely useful to the staff in my constituency office.

I think every one of us here recognizes the important role our staff play in our constituency offices, making sure, on a day-to-day basis, that the needs of constituents, as they come into our offices, are looked after. I know that we in here, unlike some individuals federally, treat our constituents in a non-partisan manner. When you come into our office, it doesn't matter for whom you may have voted. Be you Liberal, NDP or Conservative, we're going to be there to serve you. Those Integrity Commissioner's reports were extremely valuable to my staff, because when my staff picks up a telephone, it's like Steve Peters picking up a telephone. Those reports were extremely beneficial to my staff in helping them better understand their duties and responsibilities.

I want to comment on the comments the member for Renfrew-Nipissing-Pembroke made about the federal Ethics Commissioner. I know that we take a lot of heat in this Legislature as Liberals. We constantly hear about "your federal cousins" this and "your federal cousins" that. I can tell you there are many issues where I beg to differ with my, as I like to say, distant relatives in Ottawa. One that I very much differ in opinion on—and I respect what my colleague said earlier—is how the federal government deals with the issue of its members' integrity. I think it's totally inappropriate that the federal government has a process in place where their Ethics Commissioner reports directly to the Prime Minister. At least here, within this Legislature, every one of us—all 103 of us—is accountable to this Legislature. That's one

thing that is possible as a result of us having an Integrity Commissioner for this province.

I think too we need to look back at some of the individuals who have served this Legislature and, more importantly, the citizens of Ontario in the Office of Integrity Commissioner. The first Integrity Commissioner for the province of Ontario was the Honourable Gregory Evans. Mr Evans is actually serving right now as our interim commissioner until the completion of this process. But when you look at the Honourable Mr Evans's track record—a former Chief Justice of the Supreme Court of Ontario, Mr Evans became an officer of the Legislative Assembly in 1988. Mr Evans was the first Conflict of Interest Commissioner for this province. More importantly, Mr Evans played an integral role in the development of the legislation we're discussing here this evening. It was through the efforts of Mr Evans that the Members' Integrity Act was brought into being in 1994 and proclaimed in 1995. On September 28, 1995, with the unanimous support of this Legislature, Mr Evans was appointed the first Integrity Commissioner of Ontario.

I want to speak too about Mr Justice Robert C. Rutherford, who was appointed on December 1, 1997. Mr Justice Rutherford has an outstanding track record of service to his country and to the people of Ontario. I looked at Mr Justice Rutherford's impressive military record, serving as a tank commander in the Royal Canadian Armoured Corps during the Second World War. He went on to have an exemplary reputation for his service on the bench. I'll always have fond memories of Mr Justice Rutherford and remember the first day when I walked into the Integrity Commissioner's office as a new member, shaking, a little worried about how he might laugh at me, at my dismal financial record. He didn't laugh at me. He actually put me very much at ease.

**Mr Crozier:** I bet you're in better shape than some of us here.

**Mr Peters:** I don't know. He wouldn't comment on others.

The individual we are debating tonight is Justice Coulter Arthur Anthony Osborne. He's from the Hamilton area. He was called to the bar and received his bachelor of arts from the University of Western Ontario in 1955. I'm proud to be an alumnus of the University of Western Ontario and proud to know that somebody with—we've heard lots about his credentials and his time on the bench, but I think it's important to recognize too some of the other contributions he made during his time at the University of Western Ontario. Coulter Osborne was a prominent member of the Western Mustangs basketball team, playing on three championship teams from 1952 to 1955. He won three first colours, a bronze W and a Canadian Intercollegiate Athletic Union—CIAU—crest. He continued playing basketball after his graduation from Western and was a member of the Ontario senior championship team in 1956. More importantly, he was part of the Canadian Olympic basketball team at the Melbourne Olympics in 1956. He also

competed at Western in track and field and played some football there. During the 1998 homecoming, he was honoured by the Western alumni for his contributions to the University of Western Ontario and was inducted into the W Club hall of fame.

But he went on.

**Mr Wayne Wettlaufer (Kitchener Centre):** Where did he practise law?

**Mr Peters:** He went to Kitchener. I know that; I did a little bit of research. I know he went to Kitchener and had an extremely successful career as a legalist in Kitchener. In 1978, as we've heard, he was appointed to the Supreme Court of Ontario. In 1988, he worked on behalf of this Legislature and prepared the report of the inquiry into motor vehicle accident compensation in Ontario. In 1990 he was appointed to the Court of Appeal. In June 1999 he was appointed the Associate Chief Justice of Ontario.

He had an opportunity to renew his Olympic tradition in 2000, because he was honoured by being invited to Sydney to carry the Olympic torch. He is married to his wife, Barbara, and has three children. This is an ideal candidate for the office of Integrity Commissioner. I ask for everybody to provide their support for this appointment.

2110

**The Acting Speaker:** Further debate?

**Mr R. Gary Stewart (Peterborough):** Thank you, Mr Speaker. My apologies. I was just a touch tardy.

**The Acting Speaker:** The Chair recognizes the member for Peterborough.

**Mr Stewart:** Mr Speaker, it's a very hot place in here tonight. I've been so involved in listening to both the opposition and the third party that they actually had me somewhat mesmerized—

**Mr Howard Hampton (Kenora-Rainy River):** It's not too hard.

**Mr Stewart:** That's very true. Anyway, I am pleased to stand and make comments about the possible appointment of Mr Justice Coulter Osborne, who I believe is a very highly qualified candidate. It bothers me somewhat to hear some of the debate in this House, which I don't believe is right—I don't know why he would want to listen, but possibly he may be—and it's very downgrading on our behalf to make the type of comments in some instances that we have about a man who is qualified, a man who has served this province well, a man who has the integrity to do the job. Having integrity I believe is what is required to be an Ontario Integrity Commissioner. Certainly he has excellent qualifications and is an excellent choice.

When you get the types of recommendations that we have in various places for Mr Justice Osborne, I suggest to you that his appointment would indeed do justice to this position, would indeed complement all of the inquiries that may come before him over the next many years if he is appointed. He follows in the footsteps of Mr Evans and Mr Rutherford and is definitely of the same calibre of these gentlemen.

I am most supportive of doing this. I do feel, as I said, that he has the qualifications. I think we're doing the individual an injustice by having this type of debate. It is my pleasure to support him for this position, and I look forward to all members in the House doing the same thing.

**Mr Hampton:** I am pleased to have the opportunity to take part in this debate because I believe this is a debate which goes to the depth of democracy. Let me explain what I mean. Let me say at the outset that this debate, in my view, has nothing to do with Mr Justice Coulter Osborne, and my remarks are not going to focus on Mr Justice Coulter Osborne. They're going to focus on what I think the public wants and expects from its Legislatures and its legislators. As I said earlier, it has to do with the broadening and the deepening of democracy. I suspect that many members of the government are not interested in this, but I suspect that many members of the public are interested in this.

The reality of British parliamentary democracy, especially where you have only one elected House, is that where a political party achieves a majority, they can, if they wish, according to the traditional British parliamentary democracy, govern almost by dictate. They can, because they will have a majority in the Legislature, pass any legislation they want. They can override long-established institutions. They can, if they wish, appoint only partisan representatives to important posts. That was the traditional British parliamentary democracy; in effect, whoever wins a majority government can have almost absolute power for a four- or five-year period.

There are those, and I suspect there are many in the government, who think that's a good thing. But in fact, if we reflect upon what's been happening in British parliamentary democracies, certainly over the last 30 or 40 years, citizens have been demanding some checks on that almost absolute power, even if it's limited to only four years. Citizens, for example, have supported the creation of an auditor's position—an Auditor General at the federal level, a Provincial Auditor at the provincial level—an auditor who is independent of the government, an auditor who does not report to the Minister of Finance, who does not report to the Chair of Management Board, who does not report to the Premier's office; an independent Provincial Auditor who reports to the Legislature and, through the Legislature, to the public. The public supported the creation of a Provincial Auditor position, an office which was independent of the government and independently selected from the government.

Similarly, the public has supported the creation of an independent electoral office or an independent electoral officer to ensure that election rules, as much as possible, would be fair, that the appointment of electoral officials would be on a non-partisan basis, that constituencies would not be gerrymandered but would be arranged and created according to population and some sort of geographic description. Again, citizens wanted independence from the Legislature and supported that check on what had the potential to be almost absolute powers by a majority government.

People supported and called for the creation of an Ombudsman; again, an Ombudsman who is independent of the government, who doesn't report to the government but reports to the public and to the Legislature; an Ombudsman who is not dependent upon the government for his or her office, who is entirely independent and can hold the government to account—independence from the government.

Then we saw the creation of the Environmental Commissioner, because people in this province believed that environmental issues were so important that they could not be left to the partisan position of the government of the day; so another independent office to provide a check on the potentially absolute power of a majority government.

Then an Integrity Commissioner to ensure that members of the Legislature themselves would not or could not in some fashion or other rise above the rules that we believe should govern our conduct, and frankly that we believe should govern the conduct of all people in a civil society; again, an independent office, not one that is beholden to the government, beholden to the Premier or the Deputy Premier or the Minister of Finance—an independent office.

These are all relatively new institutions, new bodies that have been created in the last 30 or 40 years, to provide a check on the potential of a majority government behaving in a dictatorial or an absolutist way. They all have the pedigree of being independent of the government.

Something else has happened. I think these are incredibly important developments for British parliamentary democracy. I think if you reflect on the behaviour of the current government in terms of how it has with the stroke of a pen tried to wipe out municipalities, with the stroke of a pen tried to close hospitals, with the stroke of a pen forced huge amalgamated school boards, if you actually look at the record of this government, it is important to have these independent offices, these independent watchdogs for the public.

2130

The Environmental Commissioner has, much to the chagrin of this government, caught the government breaking several environmental laws in this province. We just got another report from the Environmental Commissioner last week pointing out that this government has breached a number of environmental laws, not just once but consistently over a six-year period.

We had, for example, reports from the Ombudsman, one presented two weeks ago, where this government, if it hasn't breached the Charter of Rights in terms of equal treatment of citizens, has certainly breached the spirit of the Charter of Rights and breached the spirit by which we think all government should operate; that is, people who are similarly situated should receive similar treatment.

We have seen how these independent offices have in fact been a check on a majority government that has had a tendency to be dictatorial, that has had a tendency from time to time to behave in an absolutist fashion. These are

important developments for the British parliamentary system of democratic government and we've witnessed in the last three or four years how important these new institutions are.

Simultaneously with the creation of these new institutions, something else has happened: the public's desire that the people who are appointed to these positions should, before they are appointed, be clearly demonstrated to be independent from the government. What the public has demanded is a non-partisan public appointments process. Let's take, for example, the appointment of judges. We now have in legislation in Ontario a process for the appointment of provincial judges that establishes or is supposed to establish a non-partisan committee. That committee is supposed to advertise for candidates, and it does. It is supposed to take the applicant lawyers' applications and rank them according to experience, peer review and academic qualifications or professional achievement. It's supposed to look at a whole long list of criteria. And do you know what? Political affiliation is not one of them. Political closeness to the government of the day is not one of them.

**Mr Kormos:** On a point of order, Mr Speaker: I request a quorum count, please.

**The Acting Speaker:** Would you check and see if there's a quorum present?

**Acting Clerk at the Table (Mr Douglas Arnott):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Acting Clerk at the Table:** A quorum is now present, Speaker.

**The Acting Speaker:** The Chair recognizes the member for Kenora-Rainy River.

**Mr Hampton:** As I mentioned before the Conservatives were unable to maintain a quorum, something that has been simultaneous to the creation of these new offices, these new institutions—the Integrity Commissioner, the Environmental Commissioner, the Provincial Auditor, the chief electoral officer, the Ombudsman—is a demand by the public that there be an appointments process that is not only objective and independent of partisan politics, but that is seen by the public to be objective and unrelated to partisan politics. So we have in the province now a judicial appointments committee that ensures that provincial judges are not appointed because they have political closeness to the government, but are appointed because in terms of their experience, their ability, their peer reviews, they are found to be of a calibre and a quality to merit appointment.

The public has also asked for a similar process for the appointment of the Provincial Auditor. We've now seen the appointment of two Environmental Commissioners. Both Environmental Commissioners that we've had in the province came through that very detailed, non-partisan, independent selection process. We have seen where the Ombudsman and the chief electoral officer have come through that process.

What I argue for is that this should become the process for the appointment of all of these important independent

officers and institutions, that the appointments process should be one that is neutral and independent and should be seen by the public to be absolutely neutral and independent, but alas the government in this instance wants an appointments process that is basically behind closed doors, that is not one where a position is advertised and where the names of candidates, of applicants are sought, where those applicants are in effect reviewed, where there are interviews, and then finally where there is a selection on the merits. The government would prefer a process that is a very closed door process. There is no advertisement, no solicitation of applicants, no review of the applications, no process for interviewing and assessing, and finally, no objective process for a neutral selection.

Part of the problem that we, the New Democrats, have is that the process that this government wants and that regrettably Liberals are supporting, essentially runs contrary to the broadening and deepening of democracy, which we are seeing not only in this province but in other provinces and, finally, with the federal government as well. Frankly, we think the process this government wants to follow is quite out of step with that broadening and deepening of democracy we are starting to see not only in this jurisdiction but in others.

There's another reason we believe there should be a totally objective, open process, and one that is perceived by the public to be totally open and objective, and that is that, if you look at Bill 82, this government will give to this commissioner absolutely unprecedented and incredible powers. I want to be very specific about what I mean by that.

It is a constitutional convention of the British parliamentary system that the only people who can order the expenditure of public money, of taxpayers' money, are ministers of the crown. Opposition members cannot institute a process that results in the expenditure of public money. Government backbenchers cannot institute a process that results in the expenditure of public money. Even the highest civil servant cannot institute a process that results in the expenditure of public money. The only people, by constitutional convention, who can order the expenditure of public money are elected cabinet ministers, elected ministers of the crown. But this government, through Bill 82, is now going to change that literally age-old constitutional convention of the British parliamentary democratic system. This government is now going to put that power in the hands of someone who is not elected, not elected by anyone and not accountable to anyone. They're going to put that power in the hands of the Integrity Commissioner. The Integrity Commissioner will have a power that only cabinet ministers are supposed to have, that is, the power to order the expenditure of public money and, with the stroke of a pen, make it so.

2140

I would suggest, and I would suggest to all the people of Ontario, that before that unprecedented step is taken, and whenever that unprecedented step is taken in the future, anyone who is selected for that office must

undergo a detailed, objective and independent selection process, because this is such a constitutional departure that this government has in mind. Yet what do we have from this government? In the very context in which they are making a radical change to an important constitutional convention, they want to rush through the appointment of an Integrity Commissioner who has not gone through an open and objective selection process. This government wants to quickly, at night, in one night, one short debate—when no one is here from the media, no one is here to report on what the government is doing—have a short debate and have the vote, a closed door, not objective, not open process.

I would suggest to you, given what this government is proposing in Bill 82, this is a very important position. This is a very, very important institution. It has powers that no other institution in a democracy will have other than elected cabinet ministers. And that is a further reason why we should not be doing what the government proposes to do tonight and what the Liberals propose to help them to do.

This whole process should have been an open one. Applications should have been solicited. Those applicants should have been ranked. There should have been a detailed interviewing process. There should have been a question-and-answer back and forth to ensure that the applicants understood the magnitude of the power and the authority which they will now have. But alas, none of that is going to happen. Big mistake, I suggest to you.

There are some other things that this government has done which I would suggest make it imperative that we should have an open process. We know that this government has some objections to the independent appointment of judges. We've heard about the Premier who has wanted one of his friends appointed as a judge in North Bay. It's been in the press that the Premier has actually held up the appointment process for North Bay because he does not like the independent, open and objective process that the judicial appointments committee now goes through. He wants to have one of his friends appointed.

If the government is bent on that, if the government is actually bent upon rolling back these new inroads of democracy where appointments are made by objective and independent processes, I would suggest to you that Conservative members and Liberal members, by supporting what is before us tonight, are in fact in the process of creating a very dangerous precedent that I believe this government would be very happy to then use to say, "If we can appoint the Integrity Commissioner quietly, through a closed process, then all these other positions—Provincial Auditor, provincial judges—should also, and can also, be appointed through a closed process, one which doesn't have openness and objectivity."

So I say to all members—I say it particularly to Liberal members—recognize the precedent that you're creating here, and recognize that this is a government that will then use that precedent for other appointments—

**The Acting Speaker:** Thank you. Further debate?

**Mr Marchese:** I ask of the good citizens of Ontario to disregard the fact that I'm not wearing a jacket tonight, because normally I do, but it's really hot in here. I don't think it has anything to do with you, Chair, or the Conservative members; nothing to do with that, I'm sure, because there are a whole lot of people suffering here wearing their garb and so on. I took my jacket off in order to be a little more at ease and to be able to share some thoughts with you.

It is now—good God—a quarter to 10 and we are all alive. When I was coming along this place at 7 o'clock in the evening I said to myself, is anybody watching? Is anybody listening to us? It seemed so desolate, the building, so quiet as you came to it. Then you meet some kind soul or some quiet soul every now and then and you say there is life around here. I know there is life on the other side of this tube. What gives me a little comfort is the fact that I know there's a sector of the population that watches this parliamentary channel. God bless. What would we do without you? Only those of you who are watching this parliamentary channel know that we work. If you weren't watching this parliamentary channel, you wouldn't have a clue what we are doing, nor would you care, nor would some people bother to find out. As far as many citizens are concerned, politicians don't work. I bless the parliamentary channel because it is the only form of connection we have with you good citizens and good taxpayers, some of you.

**Mr Ernie Hardeman (Oxford):** Some.

**Mr Marchese:** Some, because not all taxpayers are good people, necessarily. All taxpayers pay taxes, this is true, but not every taxpaying person is necessarily a good person, right? So I say "some." It is true that not all New Democrats are good people either. Not all Tories are good people either. Some of you are really bad, some are worse and some not so bad. You know that. There's some relativity in every party in terms of how good or bad we are. I just wanted to say that I find it so interesting coming here. It gives you pause to reflect on what we say and what we do here. Mr Stockwell, Minister of Labour, I'm sure you have the same reflections from time to time. I'm sure you ruminate often as you're there pensively at work. I'm sure you are pensively at work from time to time.

The debate is about whether or not the person for this position, the Integrity Commissioner position, should be appointed or should undergo a selection process which is somewhat rigorous. Given the two positions, New Democrats are saying, "We opt for an open, transparent, yet laborious process." It is worth it.

I was part of two processes that I rather liked. One was the hiring of the Ombudsman and the other was the chief electoral officer. I've got to say to you it is time-consuming; make no mistake about that. You've got to short-list a whole lot of people. Then you've got to interview each and every one of them. It is a long short list; it isn't just that someone does the short-list and they've gone through boxes of names of people and then the lucky politicians only get to interview three. No. For

the position of Ombudsman and the position of chief electoral officer, there were over a dozen people we had to interview. It is time-consuming. That's part of the job. I didn't mind it. We learn a lot about each other, the three political parties—interesting to see the kinds of things that are said or not said.

Mind you, we all have the same questions and we rotate with those questions. There may be 10, 15, 20 questions and we rotate them around the various parties. It is not as if I invent a question that is unique and/or astute or the Liberals or Tories invent their own question that is unique and/or sharp in some way or other. These are questions that are developed by the civil servants. Often the MPPs add something to those questions, so they come back with a new list of questions and then we share them. Because you see, the questions have to be uniform. They have to be uniformly asked of each candidate so we know what answers each gives to those questions.

2150

It's a neat process. It's the way it should be. I say to you, having been through those two positions, that it takes a whole lot of your time as a member of a provincial Parliament because, yes, you could be doing many other things. And yes, some people might say, "How slow, how almost irrelevant, how almost unnecessary it is." But you see, that process is very, very necessary.

So it's interesting to hear some of my colleagues in government say that Judge Osborne is an excellent candidate. No one disputes the fact that he may be an excellent candidate. Not having interviewed him, I don't know. You see, some Conservative members, good citizens, are saying to me and to us as New Democrats, "Judge Osborne is a good man. Excellent choice." While he may be, not having had the opportunity to observe his qualities in that process, I have no way of confirming or denying whether or not Judge Osborne is as excellent as you say.

It's neither here nor there. Some of you know him and some of you deem him to be excellent. That's not an issue for me. The issue is not whether he's excellent or not, because I take your word that Judge Osborne is an excellent individual and very, very fit for the job, no doubt about it. But you see when we, as New Democrats, argue for a process, the process says, "Let us discern those wonderful qualities of these individuals as we ask these questions," because under questioning you get to know the individual.

You may not get to know them fully, but you have a fairly good sense and, all things being equal, sometimes all three political parties, assuming there are no political proclivities at work, are in agreement. It happened with the chief electoral officer, where all three political parties were in agreement with the candidate that we chose.

Now, to be fair, it is very true that the Tories had someone in mind. We understand that and we know that because, good citizens, the Tories came into that process knowing full well whom they wanted. But here is what happened. The Speaker was part of the process and the

Speaker made it very clear, abundantly clear that if the choice was not a choice we all agreed on and if there were political influence on a certain individual, the Speaker would make his views very public. He would make it known that the process was not working according to the rules of the game but may have been subverted by a political party in government, subverted by the government party, because you've got the power to do it. But Liberals and New Democrats were quite prepared to denounce you in the process of selecting someone you wanted, and the Speaker was in the process and made it very clear that he would denounce the process and denounce you as a political party if you went ahead and chose your candidate.

So with that admonishing, both of the Speaker and the other two political parties, your member, who is now a minister, backed off. Clearly he had to come back to you in your caucus meeting—either to you or to whomever he went to speak to—and he said to them, "We've got a problem." I don't know what he might have said to the caucus or to the Premier or to the House Leader or to whoever may have been part of those discussions, but I know he must have gone back and said, "The candidate we have in mind isn't the right choice."

We knew that. You don't need that many instincts to sometimes know that the right candidate wasn't that individual. The Liberals knew too, and the Speaker knew that the individual they had in mind was not the right choice for us.

**Mr Kormos:** The process worked.

**Mr Marchese:** The process worked beautifully. They backed off. Why? Because the other appointments we had, the ones we had on the very short list, were superior candidates, but we wouldn't have known that. If the Tories had come into that process of selecting and appointing an individual based on their saying, "This individual is brilliant," I would never have known that the candidate the Tories had in mind would or would not have been an excellent candidate. You understand that. But having witnessed him perform under questioning, we all concluded that he was not the right person. If we hadn't had that process, we would not have known. We would have had to take your word.

Why would we as opposition parties take your word? Why would we as an opposition party say, as New Democrats, "No problemo. We are absolutely convinced that you are most astute individuals and that you would almost invariably choose a candidate who would of course be to your liking, but also to the liking of the Ontario population"? What makes you think we are so stupid as to simply accept a proposition of yours on the basis of your saying this person is very qualified, a "trust me" kind of thing? It's dumb. What Ontario citizen out there would say, "Right, the Tories want to appoint somebody, and that seems like an all right process. My God, it saves a whole lot of time"?

**Mr Kormos:** And maybe even money.

**Mr Marchese:** And money, because you wouldn't have to advertise; you just have to find someone and say,

"Hey, this guy's good." But good God, good citizens, would you accept that process for any hiring? We abandoned that process a long time ago. Why?

**Mr Kormos:** "Hi, I'd like you to meet my brother-in-law."

**Mr Marchese:** It happened in so many workplaces, where depending on who you knew, you could say, "So-and-so is my brother," or, "So-and-so is my relative," or, "So-and-so is from my hometown." It doesn't matter. It could be so-and-so from the riding association of the Conservative Party of whatever riding it is. We're avoiding nepotism. You avoid nepotism. I'm not saying this about this individual, Judge Osborne. It has nothing to do with Judge Osborne; it has to do with the selection process. The reason we go through a hiring process in almost every workplace is to avoid nepotism, to avoid favouritism. It's to avoid political appointments on the basis of their affiliation to that political party.

**Mr Kormos:** Or the appearance of it.

**Mr Marchese:** Or the appearance of it, quite true.

**Mr Kormos:** It's important.

**Mr Marchese:** Equally important. That's the argument we make. Good citizens, you may find that this discussion appears to have been protracted, for some of you, unnecessarily, but you see, this is very serious and we believe it's serious to you too. That's why we're debating here at length, because we're speaking to a process. While you have some ministers and other Conservative members saying, "Well, we did this 10 years ago," that doesn't make it right.

Good citizens, if you are interested in an open, transparent process where three political parties are involved in choosing the individual who's best for Ontarians, then you would say this discussion is critical. We know it's important to you to make sure that we, as MPPs, defend your interests. We're not defending my interests as a New Democrat; we are defending your interests as citizens to know that we as MPPs go through a process that's good for you, not good for me or good for some other political party, but good for you. If you Ontarians believe that taking the shortcut and having the Tories select their member, if that's the kind of process you like, let me know, let New Democrats know, and we'll drop the subject. But we're not convinced you believe this is the way to go. I know that.

When this government beats up on New Democrats, they're not just beating up on me as a New Democrat or on my colleague from Niagara Centre or on my colleague from Nickel Belt. They're not beating up on us individually and collectively; they're beating up on you. They're beating up on a whole sector of the population, the collective population out there that is being shunned, shut out, diminished, almost laughed at, scoffed at. "Those New Democrats. They want some process. Why would we want to engage in this long, boring process? My God, we are adults. We are, good heavens, mature individuals. Why go through this long, laborious process when we've already appointed the individual? Can't you New Demo-

crats simply silence yourselves a little bit and go back home so that we can get on with the job?"

**2200**

All these people have done in the last six years is appoint their buddies. Citizens of Ontario, you know that; I don't have to remind you. Each and every time, for almost every board, almost every agency, almost every commission you can think of, with notable but minor exceptions like, dare I say, Dave Cooke or Floyd Laughren, whom the Tories mention all the time—including the Liberals. You guys are really good. You appoint one New Democrat and say, "What about Dave Cooke?" and "What about Floyd Laughren?" as if to suggest that now that they have appointed one or two New Democrats, New Democrats should simply shut up. They appoint 99.9% of their buddies and then they appoint a couple of New Democrats and of course a couple of Liberals, and then they say, "You shouldn't be complaining. That's not the way it works."

We know the game. Citizens, you know the game. The game is you appoint a New Democrat and you attempt to shut them up. That's the political game. So when they select all Tories for various boards, agencies, commissions or who knows wherever else, either ex-MPPs or just Tory members, they can say, "Ha, but what about—" as if that makes it better. Selecting 99% of people on these boards, agencies and commissions who are your friends doesn't make it better because you select one of ours. You understand, citizens. You've very well aware of the game. I hope you are. So I'm saying to you, don't be fooled.

I've got to say to you, citizens, the game played by the Tories and the Liberals—I don't offend the Liberals too often but from time to time I do and they deserve it, not all the time but when I offend them, they deserve it. They engaged together with the Tories in a conspiracy that shuts out—

*Interjections.*

**Mr Marchese:** Good citizens, the Tories don't want to hear it, but I know you do. They consorted together and shut the New Democrats out of this process. The Liberals and the Tories decided, "Do you agree? Yes, Judge Osborne, OK. The New Democrats don't agree. Let's dispense with the process. We don't need a third party, we just need to agree now, you and me, and together we can do it, we can solve it. We can just say, 'Ha,' to Mr Kormos," our House leader, "because we don't need him."

Do you understand the game, good citizens? Do you see how enraged I am that the Liberals, as an opposition party, would have engaged the Tories in this conspiracy together to say, "We don't need a process. We do not need a transparent, open process to hire somebody that involves all three political parties."

I've got to tell you, I was offended by what the Liberals did in this regard. Sorry. We do this together, and if there's disagreement, we have to find a way to deal with it. But the way to deal with it is not to say, "We don't need New Democrats." I'm sorry but I've got to tell

most of the Liberals who are here, I didn't like what you did, because someday you'll be here too. Someday they will be here too. All these things catch up to each and every political party in time, and each party makes it worse when they engage in these kinds of activities and tactics. You shouldn't have done it. We are opposition parties and together we find the strategy to deal with a government that you know is underhanded in its ways most of the time. You know, as Liberals, most of the appointments are Conservative members. You know that.

This has nothing to do with Judge Osborne. I'm speaking generally about an open process that I think you ought to be supporting. I can't believe that you, as Liberals, would have supported a process that says that Judge Osborne is a good guy, an excellent candidate, and we don't need any process. Sorry, I disagree with each and every one of you who says we don't need that process. The Liberals say, "It could be worse. They might choose their own." If that's the case, we attack them, as we often have done, and that's what we should be doing.

**The Acting Speaker (Mr David Christopherson):** Further debate? The Chair recognizes the member for Timmins-James Bay.

**Mr Bisson:** First of all, Mr Speaker, let me congratulate you on your being in the chair. It's the first opportunity I've had to do so since your ascending to the chair, so congratulations.

Monsieur le Président, encore une autre fois on voit ce gouvernement se rassembler avec le Parti libéral, une autre fois qu'ils se rejoignent ensemble pour trouver une manière qui pourra causer une certaine relation qu'on peut dire est intéressante, une relation où, quand le gouvernement veut avoir quelque chose, ils s'en vont voir leurs petits amis de l'autre bord de la Chambre, les libéraux et M. McGuinty, et disent, « Écoutez, on veut avoir quelque chose. Pouvez-vous nous aider ? » les libéraux sont pas mal contents d'être capables d'accommoder les demandes du gouvernement.

Je trouve ça, comme député de l'opposition, très intéressant. Monsieur le Président, comme vous le savez—ça fait longtemps que vous êtes ici, comme moi—on est habitués à une relation dans cette Chambre où les partis de l'opposition travaillent un peu ensemble pour être capables de trouver des manières à contrer, à contredire des fois la direction que le gouvernement veut prendre.

Ce qui est intéressant, on se trouve asteur ce printemps—c'est la quatrième, cinquième, sixième fois à laquelle je peux penser—seuls, les néo-démocrates, opposés à un certain projet de loi. On voit des opportunités, comme on a vu dernièrement dans les débats dans cette Assemblée, où les libéraux et les conservateurs se rejoignent ensemble. Quant à moi comme député, et je pense que pour mes amis M. Marchese, M. Kormos et, M<sup>me</sup> Martel c'est la même affaire, il faut se demander ce qui se passe. Pour quelle raison est-ce que les libéraux et les conservateurs veulent travailler ensemble sur ces projets de loi et sur les motions telles qu'on a ici ce soir ?

Moi, je me dis que c'est un peu ce que j'ai toujours pensé quand ça vient au choix entre les conservateurs et

les libéraux : pas une grosse différence. Un parti qui veut dire, « Nous, comme socio-démocrates, le Parti libéral de M. Trudeau », ils essayent de se faire penser—

*Une voix.*

**M. Bisson :** Pas de chance, comme dit mon bon ami M. Kormos. Moi, je regarde le Parti libéral : pas trop différent des conservateurs quand ça vient à la question d'augmentation des salaires des députés. On se trouve dans le même lit ensemble encore une fois, les libéraux à gauche et puis les conservateurs à droite dans ce lit. On se demande qui a le plus gros oreiller. Ça, je ne sais pas. Je ne veux pas regarder en-dessous de la couverture. On ne sait jamais ce qu'on peut trouver. Mais je dis vraiment qu'il faut se le demander. On se trouve encore dans cette situation avec l'appointement du « members' Integrity Commissioner », le commissaire à l'intégrité pour la province de l'Ontario. On se trouve encore dans la même situation.

Je peux vous dire que la première fois que j'ai su que ce nom était mis en avant en candidature par le Parti libéral et le Parti conservateur, j'ai dit, « Je ne connais pas ce monsieur. Je ne l'ai jamais rencontré. Si je le voyais sur la rue, autrement que sa réputation que j'ai lu à travers les papiers, je ne le reconnaîtrais pas. » Moi, je n'ai pas une opinion pour ou contre, mais quand j'ai vu que les libéraux ont voulu faire une accommodation avec les conservateurs en disant, « On veut faire cet appointement pour ce monsieur », j'ai dit, « Je m'oppose », et la raison est très simple. Je crois qu'il doit y avoir un processus qui est transparent, un processus qui dit à la fin de la journée qu'on va avoir la confiance de cette Chambre, avec tous les partis, non seulement les libéraux et conservateurs qui sont encore dans le même lit ensemble, mais les trois partis ensemble. Pourquoi ? Parce que je pense qu'il est important, spécialement quand ça vient au commissaire à l'intégrité, d'avoir la confiance totale de la Chambre. Pourquoi ? À la fin de la journée, ce monsieur ou cette madame qui est appointé est responsable pour tous les députés de l'Assemblée, pas seulement les libéraux, pas seulement les conservateurs mais aussi les néo-démocrates, et même, je dirais, les membres indépendants de cette Assemblée, dont on a une présentement, M<sup>me</sup> Boyer.

**2210**

Je dis que c'est important qu'on a l'intégrité dans cette décision. On a besoin d'avoir un processus qui est clair et transparent. Je veux dire droit au début de ce débat qu'à la fin de la journée, peut-être que ce sera ce monsieur qui sera appointé, M. Osborne. C'est très possible. À la fin de la journée, si on avait eu un processus—je pense que c'était au mois de mars ou de février l'année passée quand on a su que c'était le choix des libéraux et des conservateurs. Si on avait commencé un processus où on aurait dit à la province de l'Ontario, « Tous ceux qui sont intéressés, appliquez, s'il vous plaît », on aurait fait ce qu'on a fait avec d'autres positions dans cette Assemblée, un processus où le monde peut faire une application, les représentants de chaque parti auraient pu regarder les CV, faire la décision de qui irait à la prochaine étape. À

travers ces étapes-là, c'est très possible que ce monsieur aurait été la personne de choix des trois partis. Il est très possible que ça aurait pu arriver.

Mais comment est-ce que je peux savoir, moi, que c'est la meilleure personne pour faire le job si on n'est pas passé à travers ce processus? Je me demande pourquoi le gouvernement est si content, si obstiné à faire cet appointment avec M. McGuinty, le chef du Parti libéral, et son caucus. Je me demande si les deux affaires sont liées : premièrement, cet appointment, et l'augmentation de salaire que le gouvernement veut passer. Là, je ne sais pas. Moi, c'est seulement une supposition que je fais. Je ne dis pas que ce soit le cas. Je ne sais pas si c'est oui et je ne dis pas que c'est non. Mais je me le demande. Je dis que c'est possible.

On a présentement en devant cette Assemblée un projet de loi numéro 82, je pense, qui dit simplement que le gouvernement va prendre, par sa majorité avec les libéraux et les conservateurs encore dans le même lit, les libéraux à gauche, les conservateurs à droite—qui a le plus gros oreiller, je ne sais pas. Regarde pas en-dessous de la couverture, parce on va que peut-être avoir peur. Mais on se demande pourquoi ils font ça, parce que le gouvernement dit que, à travers le projet de loi 82, le gouvernement va prendre la responsabilité de gérer les salaires et faire la décision sur les salaires des députés, et ils vont donner ça directement au commissaire à l'intégrité de la province. Ils disent qu'une fois que ce sera donné, ça va être totalement la décision de ce monsieur ou de la madame qui est appointé de faire la décision : combien de salaire nous, les députés, allons avoir.

C'est intéressant que ce soir on fait le débat sur la motion d'accepter l'appointment des libéraux et des conservateurs et que demain on va faire le débat sur le projet de loi 82. Je me demande, est-ce que les deux sont reliés? Je ne sais pas. Je ne dis pas oui, je ne dis pas non, mais je dis qu'il y a une question. Tout ce que je dis au gouvernement, c'est que d'habitude, quand on fait des appointments dans cette Assemblée des personnes en charge des offices de l'Assemblée, on aime aller à travers un processus un peu plus clair. Par exemple, je sais que mon collègue M. Marchese—quand on est venu pour appointer la personne responsable des élections dans la province de l'Ontario, cet appointment a été à travers un processus où les trois partis de l'Assemblée se sont mis ensemble, ils ont regardé les CV, ils ont fait des entrevues et ils ont fait une décision. Tout le monde a confiance en cette décision, en la personne qui a été appointée.

Quand ça vient au « Privacy Commissioner », on voit que le gouvernement et les partis de l'opposition, les libéraux et le NPD, se sont mis ensemble et le même processus a été suivi, et la meilleure personne qui pourrait être choisie pour la position—tout le monde en a confiance—a été choisie. Personne dans cette Assemblée, ni à l'opposition ni au gouvernement, ne peut arriver et puis dire, « On n'a pas confiance en cette personne », parce que c'était nous tous qui l'avons choisie.

C'est ça le point que je veux faire. À la fin de la journée, si on va décider qu'on va accepter que M. Osborne est la meilleure personne pour la position, il faut aller à travers un processus qui est clair, premièrement, et transparent. Nous comme députés et, plus important, je dirais, le public—parce que, à la fin de la journée, on travaille pour eux—on doit avoir confiance en la décision qui est prise. Moi, je suis opposé à faire une motion dans cette Assemblée qui veut utiliser la majorité du gouvernement conservateur, avec leurs amis les libéraux, pour faire une décision entre eux deux sur qui ils veulent faire comme appointment.

**M. Marchese :** C'est incroyable.

**M. Bisson :** C'est incroyable, ce n'est pas acceptable et moi, je ne l'accepte pas. C'est bien facile de rentrer ici—il aurait été plus facile pour nous de venir ici et de voter pour, d'une certaine façon, parce que, à la fin de la journée, cette personne-là va être appointée, puis on ne veut pas être sous le méchant regard de ce commissaire. Il aurait été plus facile pour nous de rentrer puis dire, « Oui, on est en faveur. » Mais je me dis comme député et comme personne et comme néo-démocrate que c'est important qu'on suive nos convictions. Dans cette situation, je dis que ça ne fait pas de bon sens de faire cet appointment de cette manière.

So I say to the government across the way, I really don't like the way you're doing this. From the very beginning, when this issue first came up, I felt the same way. I understood at a meeting we had among our caucus, which I believe was around March or April—I forget the exact date; sometime in the spring, or it might even have been February—that a push was on by both the Conservatives and Liberals to actually make the selection of Mr Justice Osborne as the Integrity Commissioner of Ontario. I remember at the time I was really taken aback, not because I have anything against Justice Osborne. I don't know the person. If I ran across him on the street, I wouldn't even know what he looks like. All I know is that I've read his name in the paper from time to time as a person who has been sitting on the bench for a long time. But I was opposed on the basis of this: at the end of the day, that appointment affects all of us. It doesn't matter if you're a Conservative member, a Liberal member, an NDP member or if you are the independent member, Mme Boyer. It is our Integrity Commissioner. We have to have confidence that the person who is chosen has the confidence of all of the members in the House—that is important—and is the very best person to do the job.

It might be that Mr Osborne, in a competition, at the end would turn out to be that person. I don't know. Maybe, maybe not. All I know is that all of a sudden, because the Tories and the Liberals have made some kind of a deal here, we are forcing through this appointment by way of the majority of the Liberals in the opposition and the government PCs. A decision is being foisted on the third party to select this person, even though they well know we are opposed to the process. We are saying to the government across the way, if you feel so strongly

that Mr Osborne is the number one candidate for the job, if you had started a process in February or March of last year, as we did with the privacy commissioner, as we did with the chief electoral officer and other positions such as the Ombudsman, we would not be here.

In fact, I remember when we were government, it was the same process for the auditor. The auditor was a selection process that was done with the third party, the Liberals and us. At the time, it was the Tories who really pushed to get Mr Erik Peters appointed, along with one of the members of our committee, and not because Bob Rae and the NDP were in favour of something happening. There was a process in place. At the end of the day, we understood, as a government, that you have to have somebody appointed and that all of the recognized parties in the assembly have to have some confidence in the appointment process. I say to the government across the way, it is very simple. If you feel you've got the right person and beyond no shadow of a doubt are you wrong, then prove us wrong. Hold a public process. Allow people to apply who may be interested in the job. Let's take a look at the CVs that come in. Let's short-list. Let's interview. Let's do like we've done for the other ones. At the end of the day, if Justice Osborne is the best person for the job, he will be selected. It is as simple as that.

I say, what gives here? Why are you pushing to the nth degree to have this happen? I have to say to myself, what gives here? What's going on? All I know is that it is passing strange that tonight we are debating a motion to appoint Mr Osborne as the Integrity Commissioner and tomorrow night we are going to be debating a closure motion on Bill 82, which is the pay package bill. I don't know. Are the two things related? Maybe not. I'm not saying they are. I'm not saying they're not. All I know is that the two things are passing strange, that one is happening and the other is happening right immediately after. We know, by way of Bill 82 when it passes—because again the Tories and the Liberals will gang together and make sure that bill passes; again, we will be the only party in opposition to Bill 82, the pay bill—that at the end of the day you're absolving the legislative responsibility that we have to determine the amount of money that members get paid by this assembly to do the work that we do.

Should we refer the matter to an outside commission in order to get a recommendation? I've got no problem with that. If we want to do that, let's do it. It probably makes some sense. But I think at the end of the day we, as members, should have the conviction to stand at our seats and say, "I agree, yes," on a 20%, a 30% or even as much as a 70% pay increase. That could happen. If all of a sudden the Integrity Commissioner, by way of these new powers that you're giving him, says, "I believe, because we have coterminous ridings with the federal boundaries, we have exactly the same responsibilities. We serve the same number of constituents and, in fact, are busier than federal members," it is not inconceivable that person is going to come back and say, "You should be paid the same rate as a federal member." If that's it, I think a lot of people would agree there's an argument.

The point is that I think we should have the courage to come back in this House and stand at our seats and say, "I'm either for or against the 70% increase." I would venture to guess, if members of this House and all parties had to vote on a 70% pay increase, there would be a lot of people not getting up to vote in favour. We would understand, as politicians—possibly even a majority—that 70% would be seen as quite excessive. That is the reason we, as New Democrats, have opposed this from the beginning. We get the sense, understanding how this place operates and what has been going on, that the recommendation coming back from the Integrity Commissioner, whoever that person might be at the time, is not going to be a 5% increase. If it were a 5% increase, we would have done that a long time ago. We would have voted on it ourselves. I suspect that the Integrity Commissioner is going to come back with a recommendation far in excess of 5%, and it could be as high as 70%.

I think the public, and rightfully so, is going to have extreme difficulty trying to digest such an increase. In their mind, it's not the argument, "Are MPPs worth as much as the federal members?" I think most people in our constituencies say, "Yes, we think you work just as hard as the federal members." What they're not prepared to accept is trying to roll back equity with federal members in one fell swoop, and I think we all understand that in this place. I think that's the reason the government has moved in order to push—somebody sent me a note that was kind of funny. I just read it.

2220

#### *Interjection.*

**Mr Bisson:** I knew Gord. I ran against him in an election. I know him quite well.

The point I am making is that I think all of us in this House understand that if it comes back from the Integrity Commissioner, the recommendation he will make will probably be higher than the public is willing to accept in one fell swoop. I disagree that as members we should give the Integrity Commissioner that kind of power to make that decision without us being accountable for it at the end. I know that's why this thing is being referred to the Integrity Commissioner. I'm almost willing to make you a pretty significant bet that that will be the case. I wonder, by way of this appointment, why we're in such a rush to appoint an Integrity Commissioner tonight, the day before we're about to have a vote on Bill 82.

I say to the government across the way, I have no argument with Justice Osborne. I don't know him. He may, in the end, turn out to be the best possible appointment we could have got. That to me is not the issue. It's not the individual whatsoever. My problem is that we have to have a public process. We're appointing an Integrity Commissioner who will be responsible for overseeing the activities of members of this assembly, no matter what party you're from. Once you walk into his office, he doesn't ask to see your card, if you are PC, NDP or Liberal. You're a member of the assembly, you walk in there, and he's going to check out what the situation is according to you as a member.

I want to make sure that all of us in this assembly are in a situation where we have confidence. Unfortunately, we tried to short-circuit the process last time, and there were some difficulties with the former Integrity Commissioner; not Judge Evans but Mr Rutherford. I'm not going to speculate as to what happened there, but the point is that we short-circuited the process, and I think some of the members of the assembly may not have been as happy as they would have been if we had had an open process. I don't think that has been said tonight, and I just wanted to say that. I say to the government members across the way: you have to have a clear and transparent process.

I know that at the end of the day the government is going to vote for this, along with the Liberals. They are going to side together on yet another bill.

**Mr Kormos:** Cozying up.

**Mr Bisson:** They're cozying up, there is no question, as my friend Mr Kormos points out. I said earlier that you really have a hard time trying to differentiate between the Liberals and Tories, because they've been voting together on so many bills in this House this spring that I can't tell the difference. If you took those benches and swung them over to the Tory side, there are a whole bunch of issues where there's not a lot difference.

They like to go out on the public trail and say, "We're the social democrats of Ontario. Vote for us. We're on the left." But when it comes to their actions in the House, they're pretty far right. It depends too, because I see McGuinty out there a lot of times talking as a right-winger, so I think it depends which Liberal is before the media. Some are left-wingers, some are right-wingers, but all I know is that they are snuggling together. I just say this is the wrong issue to snuggle together on, because at the end of the day, we all have to have confidence in what happens with our Integrity Commissioner. I don't think we should be putting ourselves in a position where, for whatever reasons—who knows?—people decide that they are going to vote in favour of this particular motion.

I say again, nothing against Judge Osborne, but I would much rather have a very public process—I shouldn't say public—a very transparent process that at the end of the day gives confidence in the selection of whoever will be the Integrity Commissioner so that not only we, as members of the assembly, but the public can have confidence in whoever is chosen.

We've done that with the privacy commissioner. We've done it with the Ombudsman. We've done it with the election return officer. We've done it with a number of other positions, and it has worked well. Why should we depart from that? Again I say, if we had started this in February, we would have had an Integrity Commissioner appointed a long time ago.

**Hon Janet Ecker (Minister of Education, Government House Leader):** I would just like to very quickly thank the members who participated in this debate.

The choice of Integrity Commissioner is certainly a very important one, because this person serves all the

members of the Legislature, and that's why a question like this, we believe, must be debated openly and decided upon by the members. As the member for Lanark-Carlton stated, this wasn't always the way. Tonight, however, we've debated the issue, and at the conclusion of the debate the matter will be put to the members for decision, as it should.

I respectfully disagree with the comments of the leader of the third party and some of the comments about this being a closed process, because to the contrary, all three parties were involved in the discussions surrounding the appointment of the new commissioner, and we believe it's now time to move forward. Public notice was given in accordance with the standing orders, and the requirement for a resolution of the House in favour of any such appointment is clearly stipulated in the Members' Integrity Act.

Moreover, as the member for Renfrew-Nipissing-Pembroke made clear, there's a significant difference between the appointment of an independent Integrity Commissioner, as we have here at Queen's Park, and the political appointment of an ethics councillor, as they have in the federal government. I think all of the members agree here that the Ontario model is a superior one, which ensures all members receive impartial advice.

It's our opinion that Mr Justice Coulter Osborne is a highly qualified candidate who would be an excellent choice. He was appointed Associate Chief Justice of Ontario in 1999 and previously served as a Justice of the Court of Appeal for Ontario from 1990 to 1999. In 1987, he served as commissioner on the Inquiry into Motor Vehicle Accident Compensation here in Ontario. In 1978, he was appointed Justice of the Supreme Court of Ontario's High Court of Justice.

I think we can join with all the members here to say a few words to congratulate and to thank the previous holders: Mr Justice Gregory Evans, who agreed in early March to serve as acting commissioner until a new commissioner could be appointed, and Mr Evans has certainly helped the assembly to maintain this office until such time as the new commissioner could be chosen, and we certainly thank him for that; and Mr Rutherford, who served as commissioner from 1997 to 2001 and was also our province's first registrar of the Lobbyists Registration Act. In both capacities, he served with distinction.

So it's the example set by Mr Rutherford and Mr Evans that will ensure the public continues to hold this assembly and all of the members here in high regard. It's my opinion, as a member of this assembly, that Mr Osborne would be an excellent commissioner who will assist all of us to fulfill the intent of the Members' Integrity Act.

I thank all of the members. I respect the fact that there may be some differing views, but I do thank them all for putting forward this debate very well and very articulately.

**The Acting Speaker:** Further debate. Further debate? Third and final call for further debate. Hearing none, I will put the question. Mr Stockwell has moved govern-

ment notice of motion number 40. Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please indicate by saying "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

Pursuant to standing order 28(h), I have received proper notification from the chief government whip of their desire to defer the vote, and it is so ordered.

Orders of the day.

**Mr Wettlaufer:** Speaker, I move adjournment of the House.

**The Acting Speaker:** I have adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour, please indicate by saying "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

*Interjections.*

**The Acting Speaker:** Notwithstanding what's going on over there, the order of the House is clear. This House now stands adjourned until tomorrow at 1:30 of the clock.

*The House adjourned at 1030.*

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## CONTENTS

Monday 25 June 2001

### GOVERNMENT MOTIONS

#### Appointment of Integrity

**Commissioner**, government notice  
of motion number 40, *Mrs Ecker*

Mr Stockwell .....	1849
Mr Duncan.....	1850
Mr Kormos .....	1852
Mr Baird .....	1859
Mr Conway .....	1860
Ms Martel .....	1863
Mr Sterling.....	1865
Mr Peters .....	1866
Mr Stewart .....	1868
Mr Hampton .....	1869
Mr Marchese.....	1871
Mr Bisson .....	1874
Mrs Ecker .....	1877
Agreed to .....	1878

## TABLE DES MATIÈRES

Lundi 25 juin 2001

### MOTIONS ÉMANANT DU GOUVERNEMENT

#### Nomination du commissaire

à l'**intégrité**, avis de motion émanant  
du gouvernement numéro 40,

*M<sup>me</sup> Ecker*

M. Bisson .....	1874
Adoptée .....	1878



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## Official Report of Debates (Hansard)

Tuesday 26 June 2001

## Journal des débats (Hansard)

Mardi 26 juin 2001

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 26 June 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 26 juin 2001

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### EDUCATION FUNDING

**Mr Richard Patten (Ottawa Centre):** Last night the Ottawa public school board made a very brave decision to reject this government's funding formula, to reject the defunding of education, the same defunding which has taken over \$1,000 per student away from this board since 1997. Last Friday, and then again at 1:30 this morning, the board voted to reject its own amended budget because of the fiscal straitjacket in which it has been placed by this government. The board chair has been directed to write to the Minister of Education and explain the circumstances of the board's decision and invite her to Ottawa to investigate, something I've requested of the minister many times.

By doing what you're doing, Minister, you have placed school boards like Ottawa, Hamilton, Toronto, Sudbury and Windsor—where we had a rebellion last year—in the position where they are now forced to break your own imposed balanced-budget law. In other words, this government has taken significant amounts of money out of the system by using a tricky funding formula. Then you turn around and ask those who have been defunded to keep the system stable and balanced. To that, they have said a resounding no.

I believe this is just the beginning of a trend where school boards and Ontarians in general are saying to this government that enough is enough. I take this opportunity to advise the Minister of Education that other school boards, likewise in defence of education and students and their learning and special education, need to be supported in their pursuit of learning.

#### PAPAL VISIT TO UKRAINE

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** This week, Pope John Paul II is in Ukraine. Tomorrow the Pope will bestow sainthood on a number of Ukrainian martyrs.

Among these are two Ukrainian Canadians. Bishop Nikita Budka was the first Ukrainian Catholic bishop in Canada whose early work and struggles laid the foundation for the church in the prairies and throughout

Canada. Upon his return home, the bishop was arrested by the communists and sent to Siberia, where he was martyred outside his camp in 1953. Bishop Basil Velichkovsky was a missionary sentenced to Siberia, from where he was released in 1972. Before his release, his captors injected him with a slow-acting poison that eventually killed him during his visit to Canada, in Winnipeg, where he is buried.

These two heroic individuals represent Canada's first saints of its multicultural community. Their public recognition is also an acknowledgement of the many ongoing contributions to this province and country of Canadians of Ukrainian and many other origins.

On behalf of all members of this House, I would like to take this opportunity to congratulate the members of our Ukrainian-Canadian community on this most happy occasion. It is an event which Canadians of all backgrounds can be very proud of.

#### REMARKS BY MAYOR LASTMAN

**Mr Alvin Curling (Scarborough-Rouge River):** In expressing my concern, let me state how deeply hurt and disturbed I am by the mayor's racist remarks made in Barcelona. The remarks fly in the face of what we stand for in Canada. They insult the people of Mombassa, Kenya, and also go against the principles of the Canadian Charter of Rights, which secures the rights of all to live in this country without fear of discrimination and hatred.

Similarly, the Ontario Human Rights Code gives protection to each and every Ontarian, and the right to be free from discrimination in all forms, including racial slurs. The city of Toronto has also been active in the fight against racism. Visible signs with the city's logo at bus stops and subways state, "Hate: It's taught." I hope the mayor would be committed to this cause. The cavalier attitude and the frivolous manner in which he has behaved tell a different story. Words are a prelude to deeds. The mayor's remarks are an affront to all those fighting racism and prove that he has not come to understand the severity of his actions. He has hurt millions of people. He has inflicted damage on the city, the province and our country. His act feeds into the bigotry that already exists in our society. These actions represent "the banality of evil." It is a deplorable act.

We cannot tolerate such behaviour. We must be vigilant in our efforts to stamp out racism in whatever form it is dressed. Charters, codes, signs are not sufficient in this

battle unless we are prepared to identify the causes and act upon them.

### COMMUNITY CARE ACCESS CENTRES

**Mr Peter Kormos (Niagara Centre):** Two days ago, during question period, I raised the plight of Community Care Access Centre Niagara. The Harris government has defunded CCAC Niagara to the tune of in excess of \$9 million. The net result is that people are going to be laid off from this CCAC; that seniors are not going to receive baths; that seniors aren't going to be fed, literally; that seniors are going to be forced to sit in their own waste while they're waiting for the reduced level of services that CCAC Niagara is forced to impose as a result of this government's defunding of Community Care Access Centre Niagara.

This government has got to understand that these are senior citizens, along with post-operative patients, who are trying to live in their homes. They can only do so with the assistance provided by those nursing staff and others through the CCACs. It's far less expensive to fund a CCAC home care program than it is to put a senior citizen into an institution, and, quite frankly, the senior citizen enjoys that dignity of life in their own home that is not going to be available to them in Mike Harris's seniors' homes.

We call upon this government to address the defunding of CCAC Niagara and similar CCACs across Niagara. Our parents and our grandparents deserve far more than what Mike Harris is delivering to them. They aren't blessed by being in Mike Harris's Ontario; they're cursed by being in Mike Harris's Ontario.

### ERMELINDO AGOSTINI

**Mrs Tina R. Molinari (Thornhill):** My member's statement is about a York region resident's proven historic actions on the road. His name is Mr Ermelindo Agostini. He has spent 18 years of his life driving a truck and has seen the devastating toll highway vehicle accidents can take.

However, when the unfortunate time came for Mr Agostini to be involved in an accident on Highway 407, his quick thinking, swift reflexes and heroic actions helped save the lives of the Collettes, a family from New Brunswick visiting Ontario on vacation. Mr Agostini saw that the vacationing family's car had caught on fire. He quickly jumped from his truck and pulled both children from the car's back seat before it was engulfed in flames. I'm happy to let you know that because of Mr Agostini's brave actions, all parties involved in the accident escaped with only minor scrapes and bruises. While Mr Agostini will be the first to tell you that his actions were far from being heroic, if it were not for his bravery, the accident could have been far worse.

While traffic accidents are an unfortunate part of life, it makes me proud when out of such a disastrous event, the bravery and heroic actions of the affected parties have

helped to save such precious lives. I ask the members of this House to join me in congratulating Ermelindo Agostini for his heroism.

### CHILDREN WITH SPECIAL NEEDS

**Mr Gerard Kennedy (Parkdale-High Park):** On a day when members will be asked to vote on public funds to private schools, I rise today to make members aware of a vital feature of Ontario's education system for which we in this House have a special obligation. I refer to our children with special needs.

Our obligation as elected officials is to ensure they receive the same dignity and respect and chance to learn as other kids. These are kids with frail health, with attention deficit disorders, with other challenges that every parent in this House can relate to the immensity of. But they can learn and they belong in our classrooms. They can't learn when the basic assistance they require for a level playing field is taken away.

Today in the gallery are parents of children who have lost or are threatened with the loss of that opportunity. Their kids will not be in school next year, thanks to the cuts of this government, unless something is made to change.

There's Linda Carey from Hamilton on behalf of Emily; Karen Dunbar from Hamilton; Donna Cooper from Kawartha on behalf of Steven; Wendy Johansen, Kathy Payne-Mercer and Mark Jeppeson. They are being turned down by this government. They are caught in budget cuts and lost in a demeaning avalanche of paper by a government that won't trust the teachers and the parents to do the best for their kids.

I enjoin any member of this House who has doubts about their needs to come to the estimates committee this afternoon, where the Minister of Education will be asked to be brought to account. I would ask every member to look carefully at the answers of the Minister of Education to say why the needs of these kids, of these parents' children, should be put ahead of putting public funds into private schools.

1340

### SCHOOL BUS OPERATORS

**Mr John O'Toole (Durham):** I rise in the Legislature today to speak about a transportation problem that many schoolchildren in my Durham riding, as well as those in the ridings of Northumberland and Peterborough, could be facing this coming September.

The familiar sight of school buses delivering children safely to and from school becomes less viable if school bus funding difficulties are not resolved. Despite the fact that the Ministry of Education has provided the Kawartha Pine Ridge District School Board with interim relief for busing amounting to \$726,000 last year as well as \$4 million in flexible funding this school year, the drivers in the Peterborough Victoria Northumberland and Claring-

ton Catholic District School Board will continue to be the lowest paid in the GTA.

This week my colleagues and I met with local school bus operators like Archie Groth and Ron Gerow, who is the co-chair of the Kawartha Pine Ridge Separate School Bus Association, along with Rick Donaldson as well as drivers and representatives from both school boards.

I think we all agree that making sure our children have a safe means of transportation is an important element of our education system. Many often take this service for granted, not thinking of the costs involved for the drivers. In addition to high gas prices, repair costs and emissions testing, the drivers who work for those boards have not had a pay increase in nine years.

I am committed to working with the school bus operators and drivers from my riding of Durham, like Tammy Jones, and with representatives from the Ministry, Nancy Naylor, and the school board, Bob Allison.

There needs to be a comprehensive agreement between coterminous boards to really address the efficiencies in the system and the safety of our children.

#### BY-ELECTION IN VAUGHAN-KING-AURORA

**Mr James J. Bradley (St Catharines):** On February 20 of this year I wrote to Mr John Hollins, the chief electoral officer of Ontario, as follows:

"With the writ having now been issued for the by-election in the provincial constituency of Parry Sound-Muskoka, I am writing to request that you, in your capacity of chief election officer, closely monitor print and electronic media outlets for any partisan political advertising by the government of Ontario intended to influence the outcome of this by-election using taxpayers' dollars.

"As I know you are aware, there are strict limitations placed upon the expenditure of funds by political parties and clearly defined 'blackout periods' during which advertising is forbidden in either general elections or by-elections. This practice was established in the interest of fairness and is intended to restrict the ability of a political party to 'buy' an election by spending excessive amounts of money during a campaign.

"During its tenure, the Harris government has now squandered approximately \$200 million on blatantly partisan political advertising in the form of television and radio campaigns and on glossy brochures mailed to every household in the province. This unfair and costly practice continued during last year's by-election in Ancaster-Dundas-Flamborough-Aldershot even after I requested that your predecessor intervene and order the government to immediately end their advertising blitz.

"Since last year's by-election, the Harris government has demonstrated continued zeal in their use of partisan political advertising, even going so far as to use what are supposed to be non-partisan government of Ontario Web

sites as vehicles to disseminate politically partisan views."

Obviously, the government ignored this particular avenue on my part, because in the Parry Sound by-election, they had ads in the newspaper on election day. Now in Vaughan-King-Aurora—and I have not had the full time—the government is running ads once again, is cheating in this election campaign.

#### EVENTS IN HALDIMAND- NORFOLK-BRANT

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** The evening of June 9 was an exciting one for residents of my riding of Haldimand-Norfolk-Brant, most specifically in Norfolk county. June 9 marked the final game of the Stanley Cup playoffs as the Colorado Avalanche defeated the New Jersey Devils, 3-1.

Simcoe area native Rob Blake was the third Avalanche player to hoist the cup over his head on June 9, and then he told CBC reporter Ron MacLean that he couldn't wait to bring the cup to Simcoe. Keeping his promise, Rob will arrive in Simcoe July 14 along with the Stanley Cup.

Every little hockey player dreams of the day of being able to take the Stanley Cup to their hometown, and very few earn the opportunity to do so in their career.

I'd also like to add that this talented young man is my first cousin. Although still young, Robbie Blake has already been an Olympian and has won a world championship and now the Stanley Cup.

Championship hockey players are not unique in my riding. Locals Red Kelly, Rick Wamsley and Chico Maki have also had their names engraved on the cup, but they've never had the chance to parade it around our home area.

Although I look forward to viewing the Stanley Cup up close, I'm sure the most memorable part of July 14 will be to witness the pride not only on Rob's face, but also on the faces of his parents, Bob and Sandy, and also on the faces of area fans.

#### ANNUAL REPORT, OFFICE OF THE INTEGRITY COMMISSIONER

**The Speaker (Hon Gary Carr):** I beg to inform the House that today I have laid upon the table the annual report of the office of the Integrity Commissioner for the period of April 1, 2000, to March 31, 2001.

I further beg to inform the House that today I have laid upon the table the second annual report of the lobbyists' registration office, office of the Integrity Commissioner, with respect to the administration of the Lobbyists Registration Act, 1998, for the period of April 1, 2000, to March 31, 2001.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON GENERAL GOVERNMENT

**Mr Steve Gilchrist (Scarborough East):** I beg leave to present a report from the standing committee on general government and move its adoption.

**Clerk at the Table (Ms Lisa Freedman):** Your committee recommends that Bill 27, An Act to protect the families of police officers and others involved in the criminal justice system / Projet de loi 27, Loi visant à protéger les familles des agents de police et d'autres personnes oeuvrant dans le système de justice criminelle, be not reported.

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted? Agreed.

### STANDING COMMITTEE ON JUSTICE AND SOCIAL POLICY

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I beg leave to present a report from the standing committee on justice and social policy and move its adoption.

**Clerk at the Table (Ms Lisa Freedman):** Your committee begs to report the following bill as amended:

Bill 12, An Act to increase the safety of equestrian riders / Projet de loi 12, Loi visant à accroître la sécurité des cavaliers.

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted? Agreed. The bill is therefore ordered for third reading.

## INTRODUCTION OF BILLS

### WASTE DIVERSION ACT, 2001

#### LOI DE 2001 SUR LE RÉACHEMINEMENT DES DÉCHETS

Mrs Witmer moved first reading of the following bill:

Bill 90, An Act to promote the reduction, reuse and recycling of waste / Projet de loi 90, Loi visant à promouvoir la réduction, la réutilisation et le recyclage des déchets.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The minister for a short statement?

**Hon Elizabeth Witmer (Minister of the Environment):** It is my pleasure to introduce the Waste Diversion Act for first reading. This important piece of legislation would establish a permanent, non-profit organization run by industry and municipal representatives to develop, implement and fund waste diversion programs in Ontario. This legislation firmly establishes a partnership between industry and the municipalities and

lays out the framework for a recycling system that will serve this province for years to come.

It will require the WDO to develop initiatives for used oil, organics such as kitchen waste, household special waste like paints and solvents, scrap tires and other materials. It will build on the blue box and it will be funded 50-50 by industry and municipalities.

I urge support of this very significant piece of legislation.

1350

### INCOME TAX AMENDMENT ACT (INTERCOUNTRY ADOPTION TAX CREDIT), 2001

#### LOI DE 2001 MODIFIANT LA LOI DE L'IMPÔT SUR LE REVENU (CRÉDIT D'IMPÔT AU TITRE DE L'ADOPTION INTERNATIONALE)

Mr Cordiano moved first reading of the following bill:

Bill 91, An Act to amend the Income Tax Act and the Intercountry Adoption Act, 1998 / Projet de loi 91, Loi modifiant la Loi de l'impôt sur le revenu et la Loi de 1998 sur l'adoption internationale.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Joseph Cordiano (York South-Weston):** Before I speak to the bill, I would like to recognize the presence of two very special people, my two daughters, Lara and Natalie Cordiano, who are here with us today. Thank you.

**Mrs Margaret Marland (Mississauga South):** I remember when they were born.

**Mr Cordiano:** I had no grey hair then.

Mr Speaker, the amendments in this bill provide tax relief for families being charged intercountry adoption fees. The bill ensures fair and equitable treatment of all adoptions, regardless of a child's place of birth.

I would also ask for unanimous consent to have this bill immediately ordered for second and third readings.

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noes.

### SIOUX LOOKOUT MENO-YA-WIN HEALTH CENTRE ACT, 2001

Mr Hampton moved first reading of the following bill:

Bill Pr15, An Act to establish the Sioux Lookout Meno-Ya-Win Health Centre.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 86(a), this bill stands referred to the Commissioners of Estate Bills.

**Mr Howard Hampton (Kenora-Rainy River):** On a point of order, Mr Speaker: I wouldn't mind making a brief statement on the bill.

**The Speaker:** You can't on a private bill. I'm sorry. It's a private bill.

## MOTORCYCLE AWARENESS WEEK ACT, 2001

### LOI DE 2001 SUR LA SEMAINE DE SENSIBILISATION À LA MOTOCYCLETTE

Mr Stewart moved first reading of the following bill:

Bill 92, An Act to designate Motorcycle Awareness Week / Projet de loi 92, Loi désignant la Semaine de sensibilisation à la motocyclette.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr R. Gary Stewart (Peterborough):** The bill designates the week beginning on the first Monday in May of each year as Motorcycle Awareness Week. I believe the motorcycle is a very important part of recreation and transportation in Canada. There are some 95,000 officially licensed motorcycles for road use.

In the interests of safety—and I want to emphasize that—it is necessary to develop skills and awareness of proper habits to handle motorcycles on Ontario's highways. It is most important for the citizens of Ontario to be aware of motorcycles on highways and the vulnerability of motorcyclists, and to recognize the importance of sharing the roadway.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### GOVERNMENT ACCOUNTABILITY

**Hon Michael D. Harris (Premier):** On April 19, we outlined to this Legislature our plan to protect jobs, to keep families financially secure and to maintain the strength of all communities.

Our 21-step plan to move Ontario into the 21st century is bold, it is clear, and it is measurable. Our plan has three priorities: growth, fiscal responsibility and accountability. It contains the new ideas and decisive steps that are needed to strengthen the economy and protect the high quality of life the people of Ontario expect and indeed deserve.

I am proud to announce that we have taken action on each of the 21 steps, and we will continue to take action in the days and months ahead to help improve the lives of the people of Ontario even more.

This spring, for the third year in a row, we presented a balanced budget, and we took action on step 2 of our fiscally responsible plan and we paid \$3 billion toward the provincial debt, the largest reduction in our province's history.

We have always believed that Ontario taxpayers deserve to keep more of their hard-earned money. Since 1995 we've cut personal income tax rates by more than 30%. A typical Ontario family with a total income of \$60,000 will have close to \$2,000 more to spend, save or invest as they see fit than they would have had without our tax cuts. We're not stopping there. We've introduced legislation that would complete our additional 20% tax cut to personal income taxes by the year 2003. We also announced a full range of corporate income tax cuts that by 2005 would make Ontario's general combined corporate income tax rate lower—

*Interjection.*

**The Speaker (Hon Gary Carr):** Sorry to interrupt the Premier. The member for Windsor-St Clair, come to order, please. Sorry for the interruption, Premier.

**Hon Mr Harris:** Thank you very much, Mr Speaker.

We also announced, as I was saying, a full range of corporate income tax cuts that by 2005 would make Ontario's general combined corporate income tax rate lower than any of the US states.

Last year more than 80 cents of every dollar the government spent on programs and capital went to the broader public sector. Hospitals, school boards, municipalities, social service agencies, colleges and universities must be accountable to the taxpayers of Ontario.

This is step 8 of our accountability-based plan. On May 9 we introduced the Public Sector Accountability Act to improve accountability across the whole sector. Tax dollars must be used efficiently in areas where government should be involved, areas, for example, like health care or education, but tax dollars should not be used at all in areas that are better left to the private sector, like banking. So as a first step in our review of the appropriate role of government, we are selling the Province of Ontario Savings Office, and to improve customer service for Ontario drivers we have proposed that driver testing be transferred to the private sector as well.

One of the government's most important roles is to ensure that tax dollars are invested wisely. We must also strengthen the economy and we must attract jobs and investments. This is the only way we will achieve the ambitious goal we set for our province in our 21-step action plan.

Our goal is that Ontario will enjoy not only the best performing economy, but also the highest quality of life in North America within 10 years. A high quality of life means more than economic success. Our vision for Smart Growth recognizes that a high quality of life also means giving people choices about how and where to live.

**1400**

Ours is a vision that promotes and manages growth to sustain a strong economy, strong communities and a healthy environment. As part of the Smart Growth step of our plan, we have frozen development on the Oak Ridges moraine for six months while a longer-term action plan is developed.

On May 17 we also introduced legislation to promote the cleanup and revitalization of contaminated sites known as brownfields, and on June 13 we introduced legislation that outlines better farming practices to protect Ontario's supply of clean drinking water. As well as using land wisely and protecting natural resources—

*Interjections.*

**The Speaker:** Stop the clock, please. Order. I need to be able to hear.

Sorry for the interruption again, Premier.

**Hon Mr Harris:** Thank you very much, Mr Speaker.

As well as using land wisely and protecting natural resources, including our water, we must ensure Ontario is ready to compete and we must ensure we're ready to win in this 21st century.

A modern transportation system is an important part of our pro-growth plan. We're hiring an independent financial adviser to help with the planned extension of Highway 407 east to Highways 35 and 115. We're reducing delays at the Windsor-Detroit border with the help of federal and US partners. Yesterday we announced the next step toward a highway for the Niagara region.

There are approximately 850,000 children in Ontario aged 6 and under, and they are at a critical point in their development. On May 10 we announced we will invest \$30 million this year to create Ontario early years centres that will support parents in their critical role and help them get their children off to the best possible start in life.

As these children grow, they will need access to a quality education, step 11 of our plan. Later this week, we hope to vote on our Stability and Excellence in Education Act that would minimize labour disruptions in our schools, provide for the restoration of co-instructional activities and implement the next steps in our teacher testing program to begin this fall.

Our government has done its part to end the disputes that rob children of a full educational experience. Now we're asking the unions to do the same, to work with us and to put our children first.

On June 21 we took action on step 19 of our plan. We introduced legislation that would rescue children from prostitution and other forms of sexual exploitation. It would give police and children's aid society workers greater power to help these children. It would allow the province to sue people who profit from the sexual exploitation of children and recover the cost of treatment and services required by victims. It would make it easier to gain access to businesses where these children are being victimized and to remove children under the age of 18.

As well as protecting children, we have taken action to make all neighbourhoods safer. We are keeping tighter controls on inmates through the introduction of our Victim Empowerment Act. This legislation would also let victims participate in the parole hearings of those who have wronged them. We have improved services to victims of crime across the province. On June 11 we created Canada's first permanent Office for Victims of

Crime. On July 16 new legislation will take effect to protect law-abiding tenants and make it easier for landlords to evict tenants who have been convicted of dealing drugs.

More than 586,000 people have escaped the welfare trap since 1995. Their success makes me and our party and everybody on this side of the House very proud. But there are still too many people relying on the system. We're determined to do everything we can to help them get their lives back on track.

As we promised in step 18, we'll begin phasing in mandatory literacy testing and training for all Ontario Works participants on October 1. We're also introducing mandatory drug treatment so that even more welfare recipients can find the dignity that comes with a job. Our welfare reforms are working. Over the last year, we created more than 69,600 Ontario Works placements, doubling last year's achievement.

In addition to the actions I have just described, we have also kept another promise made in our 21-step action plan. We have both invested in our province's health care system and we've taken a leadership role on the sustainability of our nation's health care system. We've invested in Ontario's health care system at record levels and taken action to ensure all families have access to professional medical care that they need closer to home. So far this year, for example, Telehealth Ontario has received more than 115,000 calls from people needing medical advice and information. On July 3, residents of Huronia, Simcoe, Muskoka and Kawartha will also have full access to this important service.

On May 17, we announced we're expanding medical school enrolment by 30%. On June 14, we announced we're more than doubling the number of foreign doctors being assessed and trained each year to practise here in Ontario. Also on May 17, we announced the location of a northern medical school, the first new medical school in Ontario in 30 years.

Health care costs are skyrocketing, and our government, like those in all other provinces, cannot in future years sustain current levels of growth on our own. The federal government currently pays less than 14 cents of every dollar that we spend on Ontario's health care system. Today we again call on the federal government to pay its fair share.

Growth, fiscal responsibility and accountability: these are the priorities that will continue to guide our work in the days and the weeks and the months ahead as we move forward with our 21-step action plan, because today's constantly changing global economy doesn't break for the summer, and neither does our government's responsibility to the people of Ontario.

In the near future, we'll announce the members of the new independent task force, led by Roger Martin, to measure and monitor Ontario's productivity, our competitiveness and our economic progress compared to the other provinces and to the United States. Over the summer, members of the public will also have the opportunity to comment on our No More Free Ride for

Young Offenders Act. It contains 100 amendments to Ottawa's inadequate Youth Criminal Justice Act, including insisting on adult time for an adult crime, mandatory jail time for weapons offences and public identification of young offenders who are found guilty of a serious offence or who receive an adult sentence.

Also this summer, we'll expand our Drive Clean program. After only two years, Ontario's Drive Clean has cut smog-causing emissions from cars by 11.5% in the Toronto and Hamilton areas. This is a very important achievement, but as we all know, we must and we can do better.

On education, we'll be working over the summer to prepare for another initiative that will help increase accountability and help improve the system. Starting November 1, our new parent surveys will make it easier for parents to tell us what they do and what they do not like about the education system.

Our 21-step plan is an ambitious one. It's an ambitious plan with ambitious goals. But the hard-working people of Ontario deserve our best ideas and they deserve our very best efforts. By making tough choices, by staying focused on our priorities—growth, fiscal responsibility and accountability—we will help Ontario meet the challenges of the 21st century and we will help offer people in every corner of our province the promise of a better life.

1410

**Mr Dalton McGuinty (Leader of the Opposition):** I can tell you that we on this side of the House have spent this session fighting on behalf of Ontario's working families. We've been fighting for their access to quality health care; we've been fighting to improve their children's public education; and we've been fighting to ensure that they can enjoy clean air and safe drinking water. I am proud to say we are fighting for our working families. This government has been doing the exact opposite. The government has spent this session fighting with working families.

When our seniors told this government that they can't get home care, that they can't find long-term-care beds in their communities, that they can't get the community care they need and deserve and, frankly, that they have earned, Mike Harris told them that they should thank God for what they're getting. The Minister of Health said that they should be grateful because they are the wealthiest generation in the history of the world, when we know that one half of Ontario's seniors make less than \$16,000 a year. In fact, the Premier and the health minister went even further. They threatened to take something away from our seniors. They threatened to take away their drug coverage. We've been fighting for seniors. We've been fighting for our parents and grandparents. This government has been fighting with them.

When parents and students told this government that public education is in a crisis, that classes are too large and textbooks are too scarce, that special education can't be found and that morale is at an all-time low, Mike Harris turned around and he came up with \$500 million

for private schools. This was a huge reversal for this government, which had already told the world, literally, at the United Nations that such a move would destroy public education. The government's budget slammed the government's own policy into reverse so suddenly that we've heard the gears grinding for six weeks now.

We on this side of the House, on behalf of working families, fought for their public education. Our families' children deserve better. They deserve real reform and real improvement. We're for choice within the public system; we're for smaller class sizes so our kids get more individual attention; we're for turnaround teams so that we can lend a hand to our struggling schools; and we're for lighthouse schools that can better share our best practices and some of the good things that are happening inside public education. We've been fighting for parents and students. This government continues to fight with them.

When it comes to the environment, on behalf of working families we have fought for clean air and safe drinking water. The government, on the other hand, has fought with anyone who wants to clean things up. It sides with polluters, not working families. When we proposed converting Nanticoke to cleaner-burning natural gas, for example, the government said that it preferred smog days to smog abatement. When we urged the government to accept responsibility for our drinking water, this government preferred to pass the buck. Just yesterday, the medical officer of health for the province told the world: "The Premier was warned," he said, "and he turned his back on public safety."

When we brought forward important legislation to close the Keele Valley dump, the government broke its promise, and said, "No." It will be interesting to see just how quickly the government's freeze on development on the Oak Ridges moraine survives Thursday's by-election. We suspect the freeze is already beginning to thaw.

I can tell you that we have fought on behalf of working families who want a clean environment. This government on the other side has continued to look after its friends. We have fought on behalf of working families for prosperity that lasts, that's built on quality education, accessible health care and taxes that are competitive. This government would jeopardize our families' future and our province's future with its one-trick-pony approach that suggests that all we need is the lowest corporate taxes and what the heck if that means for our families the lowest standards for health care, the lowest standards for education and the lowest levels of environmental protection.

This session may be winding down, but I can tell you we are just warming up and we will continue to fight for our working families and everything that they need.

**Mr Howard Hampton (Kenora-Rainy River):** It is interesting, to say the least, that the Premier starts off his statement and ends his statement with the one-word, one-line message: tax cuts, tax cuts, tax cuts. It is equally interesting that through the Premier's whole statement he makes not one word of mention of something called the

Walkerton inquiry—Walkerton, where his government cut over \$200 million from the budget of the Ministry of the Environment, laid off the inspectors, did away with government testing of drinking water, and as a result seven people died and 2,000 people were rendered seriously ill. The Premier talks about accountability. I wonder who will be held accountable for the deaths of those seven people and the illnesses of 2,000 more while your government took the money away from the Ministry of the Environment and turned it into tax cuts for your well-off friends. That's the accountability we are interested in.

We're interested in the accountability that will finally happen for the death of an unarmed man, Dudley George, and how it is that you, Premier—and this is documented now—could say, "Get the Indians out of the park," and a short while later an unarmed man lies dead. That's the accountability we want to have.

We want to have accountability for the fact that if you factor in inflation and you factor in the increase in enrolment in our public schools, they are now being underfunded to the tune of \$2.3 billion a year. That's how much money you've taken out of the public school system by not factoring in inflation and by not increasing the funding according to the enrolment growth. Yet at the same time this is a government that says it's got money for private schools; a \$2.3-billion-a-year shortfall in the public system, but you have money for private schools.

Then there's your boast in terms of family centres for early child development and education, your boast that you're going to commit \$30 million for 850,000 children. Premier, it works out to \$35 per child.

Is that all you're prepared to invest in the young children of this province, \$35, while this year the government boasts that you're going to give \$2.5 billion in bloated corporate tax cuts to corporations that don't need them? That is the accountability that we want to know about.

But I believe your statement illustrates exactly where your government is headed. When corporations want tax cuts, you're there. When high-income individuals want tax cuts, you're there. But when it comes to clean drinking water for the majority of people across Ontario, it's at risk. When it comes to public health for the majority of people across Ontario, it's at risk. When it comes to home care for seniors across Ontario, it's being cut and it's at risk. When it comes to having the kind of environment that our communities need, it's at risk.

When it comes to affordable housing across Ontario, the government has no answer. The government has no priority for something as elementary, as basic, as affordable housing.

The government is silent on all of the things that matter to the vast majority of people across this province: housing, decent education for their children, access to health care, clean drinking water and freedom from smog and air pollution. On all of those issues this government is seemingly missing in action.

Then there is accountability on something else. Ontario has enjoyed some of the most reasonable hydroelectric prices in North America and a predictable and stable supply of hydroelectricity. Has this government learned from California and the debacle there? Have you learned from the higher prices for electricity in Alberta?

No, you're going to repeat the same mistake. You're going to sell off our hydroelectric system to your corporate friends, who will in turn export it to the United States and force up prices here in Ontario.

No accountability on the things that matter to the majority of people in Ontario.

## VISITORS

**Mr Gerard Kennedy (Parkdale-High Park):** On a point of order, Mr Speaker: We have visiting with us in the gallery Andrea Rosenberg, Anna Germaine and Linda Bernofski. They are parents of special-needs children.

Together with the six others who were introduced earlier, I'm sure the House will want to acknowledge their presence, as they're here on important business.

**Mr Mike Colle (Eglinton-Lawrence):** On a point of order, Mr Speaker: With us in the gallery today we have two community activists from Burlington: Carol Watts and Marilyn Heinz. They are here today because they want to support my call for unanimous consent to have O Canada sung in the Legislature once a week. I seek unanimous consent.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? I'm afraid I heard some noes.

**Mr David Caplan (Don Valley East):** On a point of order, Mr Speaker: In light of the Premier's comments that there's much work to be done over the summer, I seek unanimous consent for the House to meet for the first two weeks of July.

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noes.

## DEFERRED VOTES

### PUBLIC SERVICE STATUTE LAW AMENDMENT ACT, 2001

### LOI DE 2001 MODIFIANT DES LOIS EN CE QUI A TRAIT À LA FONCTION PUBLIQUE

Deferred vote on the motion for third reading of Bill 25, An Act to amend the Public Service Act and the Crown Employees Collective Bargaining Act, 1993 / Projet de loi 25, Loi modifiant la Loi sur la fonction publique et la Loi de 1993 sur la négociation collective des employés de la Couronne.

**The Speaker (Hon Gary Carr):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1424 to 1429.*

**The Speaker:** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

**Ayes**

Amott, Ted	Hastings, John	O'Toole, John
Baird, John R.	Hodgson, Chris	Ouellette, Jerry J.
Barrett, Toby	Hudak, Tim	Sampson, Rob
Beaubien, Marcel	Johns, Helen	Snobelen, John
Clark, Brad	Johnson, Bert	Spina, Joseph
Clement, Tony	Kells, Morley	Sterling, Norman W.
Cunningham, Dianne	Marland, Margaret	Stewart, R. Gary
DeFaria, Carl	Martiniuk, Gerry	Stockwell, Chris
Dunlop, Garfield	Maves, Bart	Tascona, Joseph N.
Ecker, Janet	Mazzilli, Frank	Tilson, David
Flaherty, Jim	Miller, Norm	Tsubouchi, David H.
Galt, Doug	Molinari, Tina R.	Tumbull, David
Gilchrist, Steve	Munro, Julia	Wettlaufer, Wayne
Gill, Raminder	Murdoch, Bill	Witmer, Elizabeth
Guzzo, Garry J.	Mushinski, Marilyn	Wood, Bob
Hardeman, Ernie	Newman, Dan	Young, David
Harris, Michael D.		

**The Speaker:** All those opposed to the motion will please rise one at a time and be recognized by the Clerk.

**Nays**

Agostino, Dominic	Crozier, Bruce	Marchese, Rosario
Bartolucci, Rick	Curling, Alvin	Martel, Shelley
Bisson, Gilles	Di Cocco, Caroline	Martin, Tony
Bountrogianni, Marie	Dombrowsky, Leona	McGuinty, Dalton
Boyer, Claudette	Duncan, Dwight	McLeod, Lyn
Bradley, James J.	Gerretsen, John	McMeekin, Ted
Brown, Michael A.	Hampton, Howard	Parsons, Ernie
Bryant, Michael	Hoy, Pat	Patten, Richard
Caplan, David	Kennedy, Gerard	Peters, Steve
Christopherson, David	Kormos, Peter	Phillips, Gerry
Cleary, John C.	Kwinter, Monte	Pupatello, Sandra
Colle, Mike	Lalonde, Jean-Marc	Ramsay, David
Conway, Sean G.	Lankin, Frances	Ruprecht, Tony
Cordiano, Joseph	Levac, David	Smitherman, George

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 49; the nays are 42.

**The Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

**GOVERNMENT EFFICIENCY ACT, 2001****LOI DE 2001 SUR L'EFFICIENCE  
DU GOUVERNEMENT**

Deferred vote on the motion for second reading of Bill 57, An Act to promote government efficiency and to improve services to taxpayers by amending or repealing certain Acts / Projet de loi 57, Loi visant à favoriser l'efficacité du gouvernement et à améliorer les services aux contribuables en modifiant ou en abrogeant certaines lois.

**The Speaker (Hon Gary Carr):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1433 to 1438.*

**The Speaker:** All those in favour please rise one at a time and be recognized by the Clerk.

**Ayes**

Amott, Ted	Hastings, John	O'Toole, John
Baird, John R.	Hodgson, Chris	Ouellette, Jerry J.
Barrett, Toby	Hudak, Tim	Sampson, Rob
Beaubien, Marcel	Johns, Helen	Snobelen, John
Clark, Brad	Johnson, Bert	Spina, Joseph
Clement, Tony	Kells, Morley	Sterling, Norman W.
Cunningham, Dianne	Marland, Margaret	Stewart, R. Gary
DeFaria, Carl	Martiniuk, Gerry	Stockwell, Chris

Dunlop, Garfield	Maves, Bart	Tascona, Joseph N.
Ecker, Janet	Mazzilli, Frank	Tilson, David
Flaherty, Jim	Miller, Norm	Tsubouchi, David H.
Galt, Doug	Molinari, Tina R.	Tumbull, David
Gilchrist, Steve	Munro, Julia	Wettlaufer, Wayne
Gill, Raminder	Murdoch, Bill	Witmer, Elizabeth
Guzzo, Garry J.	Mushinski, Marilyn	Wood, Bob
Hardeman, Ernie	Newman, Dan	Young, David
Harris, Michael D.		

**The Speaker:** All those opposed to the motion will please rise one at a time and be recognized by the Clerk.

**Nays**

Agostino, Dominic	Crozier, Bruce	Marchese, Rosario
Bartolucci, Rick	Curling, Alvin	Martel, Shelley
Bisson, Gilles	Di Cocco, Caroline	Martin, Tony
Bountrogianni, Marie	Dombrowsky, Leona	McGuinty, Dalton
Boyer, Claudette	Duncan, Dwight	McLeod, Lyn
Bradley, James J.	Gerretsen, John	McMeekin, Ted
Brown, Michael A.	Hampton, Howard	Parsons, Ernie
Bryant, Michael	Hoy, Pat	Patten, Richard
Caplan, David	Kennedy, Gerard	Peters, Steve
Christopherson, David	Kormos, Peter	Phillips, Gerry
Cleary, John C.	Kwinter, Monte	Pupatello, Sandra
Colle, Mike	Lalonde, Jean-Marc	Ramsay, David
Conway, Sean G.	Lankin, Frances	Ruprecht, Tony
Cordiano, Joseph	Levac, David	Smitherman, George

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 49; the nays are 42.

**The Speaker:** I declare the motion carried.

Pursuant to the order of the House dated June 20, 2001, this bill is ordered referred to the standing committee on general government.

**APPOINTMENT OF INTEGRITY  
COMMISSIONER**

Deferred vote on the motion for an humble address to the Lieutenant Governor in Council requesting the appointment of the Honourable Coulter Osborne as Integrity Commissioner.

**The Speaker (Hon Gary Carr):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1440 to 1445.*

**The Speaker:**

All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

**Ayes**

Agostino, Dominic	Galt, Doug	Murdoch, Bill
Amott, Ted	Gerretsen, John	Mushinski, Marilyn
Baird, John R.	Gilchrist, Steve	Newman, Dan
Barrett, Toby	Gill, Raminder	O'Toole, John
Bartolucci, Rick	Guzzo, Garry J.	Ouellette, Jerry J.
Beaubien, Marcel	Hardeman, Ernie	Parsons, Ernie
Bountrogianni, Marie	Harris, Michael D.	Patten, Richard
Boyer, Claudette	Hastings, John	Peters, Steve
Bradley, James J.	Hodgson, Chris	Phillips, Gerry
Brown, Michael A.	Hoy, Pat	Pupatello, Sandra
Bryant, Michael	Hudak, Tim	Ramsay, David
Caplan, David	Johns, Helen	Ruprecht, Tony
Clark, Brad	Johnson, Bert	Sampson, Rob
Cleary, John C.	Kells, Morley	Smitherman, George
Clement, Tony	Kennedy, Gerard	Snobelen, John
Colle, Mike	Kwinter, Monte	Spina, Joseph
Conway, Sean G.	Lalonde, Jean-Marc	Sterling, Norman W.
Cordiano, Joseph	Levac, David	Stewart, R. Gary
Crozier, Bruce	Marland, Margaret	Stockwell, Chris
Cunningham, Dianne	Martiniuk, Gerry	Tascona, Joseph N.

Curling, Alvin  
DeFaria, Carl  
Di Cocco, Caroline  
Dombrowsky, Leona  
Duncan, Dwight  
Dunlop, Garfield  
Ecker, Janet  
Flaherty, Jim

Maves, Bart  
Mazzilli, Frank  
McGuinty, Dalton  
McLeod, Lyn  
McMeekin, Ted  
Miller, Norm  
Molinari, Tina R.  
Munro, Julia

Tilson, David  
Tsubouchi, David H.  
Turnbull, David  
Wettlaufer, Wayne  
Witmer, Elizabeth  
Wood, Bob  
Young, David

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Bisson, Gilles  
Hampton, Howard

Kormos, Peter  
Marchese, Rosario

Martel, Shelley  
Martin, Tony

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 83; the nays are 6.

**The Speaker:** I declare the motion carried.

1450

## ORAL QUESTIONS

### WALKERTON TRAGEDY

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Premier. The people of Walkerton and indeed the people of Ontario are looking to you specifically this week. They're looking to you to do two things: (1) stop denying the facts; (2) start accepting responsibility for your government's role in the Walkerton tragedy. Today, Premier, you have a chance to do those two things. Yesterday the chief medical officer of health for Ontario told us that you had him sent out of the room when he tried to warn you that public safety was at risk in Ontario. He said that you literally turned your back on public safety. Will you now and for the first time apologize for turning your back on public safety?

**Hon Michael D. Harris (Premier):** I think you would acknowledge that we appointed Mr Justice O'Connor, that we appointed the inquiry, because we too want to make sure that we get all the facts out on the table, that we get to the bottom of what happened in Walkerton. We support the process. We want answers to the tragic events at Walkerton. We said from the beginning we would fully co-operate.

Your question deals with the context of testimony at Walkerton this week. As you know, I met with the lawyers for the commission of inquiry on Friday. I've indicated I will be there this Friday. I think you would agree with me that in regard to anything that arises at the inquiry, to show respect for the inquiry and the process I ought to respond there. I am fully co-operating. I'm looking forward to being there on Friday and being of whatever assistance I can to the inquiry. In the right context, I'll be responding, I'm sure, to those questions.

**Mr McGuinty:** I would remind the Premier that we had to drag him kicking and screaming into sponsoring a public inquiry. The reason we wanted the public inquiry had everything to do with public safety. We must ensure

this never happens again. The first step is to admit what went wrong and then you have to take responsibility for what went wrong. Here today you can stop the damage control and start repairing the damage. But when you were asked about Dr Schabas's testimony yesterday, do you know what you said, Premier? You said, "Nothing could be further from the truth." That's what you said about the chief medical officer of health's testimony delivered yesterday before the Walkerton inquiry.

Premier, people want the truth, but you're stuck on a simple strategy: deny, deny, deny. Why did you turn your back on public health in the province of Ontario?

**Hon Mr Harris:** As I indicated, that is a question that arises from testimony at the inquiry, an inquiry we supported. I might remind the leader of the official opposition that we offered to send the matter to a legislative committee. We offered to allow you and your members to be doing the questioning. We offered that as one of the vehicles, I think an appropriate vehicle, to get all the facts out on the table. You rejected that. You said you didn't want to be involved: "Politicians don't want to be involved. We'd rather have an independent third party judge." So we went that route. That is the process we have. I would ask you, as I think you would expect of me, to respect that process. I have agreed to fully co-operate. I'm looking forward to providing whatever information I can to help the inquiry this Friday.

**Mr McGuinty:** Premier, I appreciate the dance; I really do. But I repeat, the people of Walkerton and the people of Ontario are looking to you now. Ever since seven people died in Walkerton, they've been looking to you to do two things in particular: (1) stop denying the facts; (2) start accepting responsibility. Today you can continue with damage control or you can start to repair the damage.

Premier, here's another chance. Dr Schabas wasn't alone. The Environmental Commissioner warned you, the Provincial Auditor warned you, your own Minister of Health warned you, and these warnings were clear and unequivocal. There weren't enough inspectors, there weren't enough safeguards and there was no simple requirement that people on the ground be told their water was poisoned. Premier, will you finally admit today and for the first time that you ignored all those warnings and seven people died in Walkerton?

**Hon Mr Harris:** Once again I remind the member that my first offer to get to the bottom, to get all the facts on the table, was a legislative committee with power to subpoena, with power to compel everybody to give evidence, including myself, including our ministers and including all the staff and whoever wished to be available. You said, "No, we don't want a legislative committee. We don't want politicians involved. We don't want political answers. We'd like a judicial inquiry." So I've set that in place. We have agreed that this vehicle is the one you preferred over the legislative committee, so you can't have it both ways. You're asking me to comment on evidence that is before the Walkerton inquiry. As I've indicated, I met with the lawyers last Friday. I'm

looking forward to being there this Friday, and I'm looking forward to getting all the information out and making sure that the facts are on the table and the truth is known and everything is a matter of public record. That's why we appointed, with your agreement, Justice O'Connor.

**The Speaker (Hon Gary Carr):** New question.

**Mr McGuinty:** This is to the Premier, Speaker. It's interesting, Premier. You tell us that you can't comment in here, but yesterday you were very, very forthcoming in terms of castigating Dr Schabas. You said that nothing could be further from the truth when it came to Dr Schabas's testimony.

Premier, the real big concern that I have here today is that you continue to refuse to accept responsibility, and as long as you do that, you fail to ensure this tragedy isn't repeated. Consider this: one year after the Walkerton tragedy, half the wells directly under your control are still poisoned. Seven of the 37 health units only have a part-time officer of health. Factory farm legislation won't kick in for five long years. You still haven't hired the inspectors that we need to stop polluters and protect lives.

The first step in repairing the damage is to stop self-indulging in damage control. Premier, will you finally now, and for the first time, accept responsibility for your government's role in Walkerton?

**Hon Mr Harris:** Let me say that this government has taken a number of actions, contrary to all the allegations in your question. On ORC property, I think over 100 new wells have been drilled; considerable dollars have been expended there. A groundwater strategy, as you know, has been looked at, introduced into the Legislature. A number of new drinking water regulatory changes have been made, now making us one of the leading jurisdictions in North America. Others are starting to look at some of the changes that we have proposed.

So contrary to the assertion in your preamble, in fact this government treats water—water quality, water quantity, groundwater, all of those areas before and brought about as a result of Walkerton and post—very, very seriously, and we're taking action on them.

**Mr McGuinty:** Premier, you still don't understand. This is bigger than politics. It always has been. People died. Somebody's two-year-old little girl died. A community was devastated and a province was shaken. Now the people of Walkerton are looking to you. The last time that you went to Walkerton, you passed the buck and you tried to blame the previous government. This time you've got a chance, here and now, to look at the people of Walkerton, look them in the eye, and apologize.

Premier, I'm asking you here and now, on behalf of the people of Walkerton and on behalf of the people of Ontario, will you now and for the first time apologize?

**Hon Mr Harris:** I would remind the Leader of the Opposition again of the number of initiatives that we've taken. The Ontario Ministry of the Environment's new regulation will help restore the public's confidence in the province's drinking water. The professional engineers of

Ontario applaud the move, so obviously we've taken a number of steps there. There's a Quebec government press release following the example of the United States and Ontario, the new Quebec regulation. We also had Ken Ogilvie, environmental watchdog, Pollution Probe, call the new law a good piece of work. So obviously we have taken action already and, as you know, we've called the judicial inquiry.

I would remind the Leader of the Opposition that playing politics is calling for a legislative committee and, when I offer that, saying, "No, I don't want a legislative committee. We don't want politicians involved." That's fine. You flip-flopped on that, you don't want politicians involved, so I have agreed to attend the judicial inquiry on Friday to talk about those very matters.

**Mr McGuinty:** Premier, when it comes to your government's record on the environment, there is one fact that stands head and shoulders above the rest. You have made of our province the second-worst polluter in North America. That is your legacy.

You and I couldn't even begin to understand what it must be like to lose someone you love because they were killed by tap water. Imagine what it must be like to live through that and then look to your government for answers, look to the head of the government for answers, and instead hear denials and excuses.

You can remain defiant and you can deny, deny and deny for as long as you want, or you can do the right thing and send a strong signal today to the people who lost loved ones in Walkerton.

When you take the stand, will you take a stand and, for the first time ever, accept responsibility for your role and your government's role in Walkerton?

1500

**Hon Mr Harris:** Let me say that we have had a most compassionate response to the tragedy at Walkerton. We have expressed, as you know, our sympathies. We have responded quickly with funds to assist the people of Walkerton to deal with the situation. We have taken a number of initiatives, including Operation Clean Water, to protect Ontarians' drinking water, and we called the judicial inquiry to get to the bottom of what happened in this tragic situation in Walkerton.

I appreciate the member's advice to me, and I'll take it under advisement when I appear before the commission on Friday.

**The Speaker:** New question.

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. Today at the Walkerton inquiry, Brenda Elliott, your former Minister of the Environment, said the entire Conservative caucus was given an uncensored briefing, including the warnings that there were risks to human health posed by your government's substantial cuts to the budget and staff of the Ministry of the Environment. In fact, the inquiry has learned that you were given no less than 10 warnings about the threat to human health. Brenda Elliott further said that it wasn't her decision to take these warnings out. She said the

decision to take the warnings out was made by central agencies higher up in the government.

Premier, you are the focal point of those central agencies. Can you tell us who made the decision to take those warnings out so the public wouldn't see them?

**Hon Mr Harris:** I'm not aware of any testimony that took place today, but I'd be happy to review that. As I indicated to the leader of the official opposition, we set up the judicial inquiry. You're asking me about testimony that's taken place at the judicial inquiry. I've made myself available on Friday to respond to that in the same context that any other testimony has been raised, and that is now the absolute appropriate forum for that.

I'm prepared to do that. This was the wish of the Legislature, unanimously supported by all members of the Legislature. I think it behooves us now to let the process unfold. I personally look forward to providing any assistance I can to Justice O'Connor and the inquiry.

**Mr Hampton:** You were very quick yesterday, after Dr Schabas testified at the inquiry, to get into the media and say he was all wrong. So I'm a bit puzzled why you won't answer the questions today.

You should know that it has come out at the Walkerton inquiry that the first draft of the Ministry of the Environment business plan included warnings about the adverse health impacts from your cuts to the ministry. But you chose to hide that from the public. You replaced those words with the sentence, "We will not compromise environmental protection."

Today at the inquiry, the commission counsel said that this was misleading—these are his words, not mine. That's what he said. I would say you were turning your back on public health concerns in Ontario. The question is, how can you justify keeping those warnings away from the public?

**Hon Mr Harris:** I appreciate the question and the interest and I appreciate that you have supported the judicial inquiry process. We're fully complying; all our ministers and all our senior staff, including the Premier of the province of Ontario.

Quite frankly, I'm a little surprised that for some reason or other you now don't support that process. As I indicated to the leader of the official opposition, when his first request was for a legislative committee, we said, "Fine, that's a good vehicle to do that." Then, when he flip-flopped and said he would like a judicial inquiry, we said, "Fine, that too will be public and will have the ability to compel witnesses to testify," and that's the process we've followed. I don't think it's reasonable for you now to say, "No, forget that. Let's get back to the politicians being involved." We are fully co-operative. As you know, we very deeply regret what happened in Walkerton.

**The Speaker:** Order. I'm afraid the Premier's time is up.

**Mr Hampton:** Premier, you keep saying we should let the inquiry unfold and that that's where the answers should be given. But in today's testimony at the inquiry, something very strange happened. Every time the com-

mission counsel tried to ask Brenda Elliott, "Who was ultimately responsible and accountable for what happened at Walkerton?" the government lawyer would get on his feet and demand that the commissioner not allow the question to be put. He didn't want that question answered. He didn't want to know who is accountable and who is responsible.

I want a guarantee from you, Premier, that when you go before the commission on Friday, the government lawyer won't be standing up and opposing the questions about accountability and responsibility, that the government lawyer will allow those questions to be put and there will be no attempt to avoid giving the testimony. Will you give us that guarantee, Premier?

**Hon Mr Harris:** I would be happy to pass on your advice to the government lawyers. I'm sure they will treat it with a great deal of respect. If that's your advice, being an outstanding litigator of renown throughout the province of Ontario, I'm sure that is advice they might like to receive.

I can't comment on what took place today or what lawyers say or what they don't say. All I can do is tell you that we responded quickly to the people of Walkerton. We responded quickly to their needs. We have undertaken significant remedial action. We have restored water to the people of Walkerton. We've restored confidence. We've offered and worked with the insurance companies to provide compensation. We have also called this public inquiry with Justice O'Connor to get the facts out on the table in the manner that Justice O'Connor and the lawyers for the commission would like, and we're fully complying with that. Surely you can't ask us to do any more than that.

#### IPPERWASH PROVINCIAL PARK

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. This is about another issue where accountability is due. It's about the death of Dudley George. The George family has asked over and over again for a public inquiry into the death of an unarmed man. Your government has refused. Now in the civil trial there is documentation which indicates there is a memo that says you gave the order to the Attorney General to "Get the Indians out of the park today." Premier, do you deny the existence of such a memo?

**Hon Michael D. Harris (Premier):** I think the Attorney General can respond.

**Hon David Young (Attorney General, minister responsible for native affairs):** The memo the member opposite refers to is one of thousands of documents that have been produced as part of the proceedings. It is, and has been for some time, a document of public record. On its face, if one is to look at it, it is a document that seems to say this government did apply for an injunction. It goes on to say or suggest that the government did so in an effort to resolve the dispute. That's consistent with what has been said by representatives of this government from day one.

**Mr Hampton:** It is interesting that the government's position here seems to be that it is prepared to answer questions that are before the court. So let me follow that up with another question.

The documents from the civil trial indicate that the memo is very specific. Instruction from the Premier to the Attorney General: "Get the Indians out of the park now." Do you admit that that memo says exactly those specific words, and if it doesn't, please tell us how you interpret the meaning of that memo.

1510

**Hon Mr Young:** This is a really fine example of why this Legislative Assembly shouldn't be reviewing the matter that is in front of the court. We have an independent judiciary with an impartial judge who in due course will look at all of the documents, including the single document referenced by the member opposite, and ultimately will come to a conclusion. I have a great deal of confidence in the judiciary, the same place that we send our constituents each and every day to resolve outstanding disputes. I would ask the members opposite to place their trust in the same judiciary.

**The Speaker (Hon Gary Carr):** New question.

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Premier. Premier, I believe you are in a serious conflict-of-interest situation and you must remove yourself from that conflict of interest. I refer to the Ipperwash Provincial Park issue. On the one hand, there is considerable evidence that you were deeply and personally involved in the events surrounding the shooting death. Yesterday, evidence was made public that you—I'm quoting—"[desire] removal within 24 hours." On the other hand, it is you who controls whether or not there is a public inquiry into the events. So you have a serious conflict of interest. You are personally deeply involved in it, but it is you who controls whether there is a public inquiry that will look into your actions.

Will you agree, Premier, to remove yourself from this conflict by referring the matter to the Chief Justice of Ontario so he can make a recommendation on whether or not there should be a public inquiry?

**Hon Mr Harris:** Mr Speaker, I'd be pleased to refer the question to the Attorney General.

**Hon Mr Young:** First of all, this is yet another example of why it is dangerous for members of this Legislative Assembly to pretend that we're not in a Legislative Assembly but in some sort of Star Chamber. When you read half a quote, when you read half a document, it does not serve the cause of justice, with the greatest respect.

As for the idea that there should be a public inquiry, I say to you again what we've said on many occasions, and that is that the issues that are being examined, the very issues that are being examined by the impartial court, the very same issues, are the issues that would be examined in any public inquiry. I would encourage the members opposite to allow the defendants to have their day in court.

**Mr Phillips:** This would be the same as you've seen in Walkerton. The only inquiry we will have is if some victim of one of the dead people launched a civil case against you.

I return to the central issue, Premier. There is considerable evidence that you were personally involved, deeply involved and inappropriately involved. I will quote two other documents: "Deputy minister said—can't interfere with police decision," but the Premier and Hodgson "came out strong." I'll repeat the other statement: "The Attorney General was instructed by the Premier that he desires removal within 24 hours."

You, Premier, were deeply involved in this situation. On the other hand, it is you who personally is stopping the public inquiry. There is a direct analogy here with Walkerton, where we are finding the value of the public inquiry and finding that the civil case was not the route to go.

I will return to you, Premier. Will you do the appropriate thing, the decent thing? Will you refer this issue to the Chief Justice of Ontario and let him make this decision? Remove yourself from that conflict, that direct, obvious and important conflict. Will you do that today, Premier: refer this to the Chief Justice of Ontario and let him make a decision independently on behalf of the people of Ontario?

**Hon Mr Young:** If the member opposite had any interest in getting to the bottom of things, if he had any interest in fairness, he would have read the conclusion of that quote.

*Interjections.*

**The Speaker:** Attorney General, take his seat.

Come to order. The member for Eglinton-Lawrence, come to order. The member for Hamilton East as well.

Sorry, Attorney General.

**Hon Mr Young:** As I was saying, if the member was anxious to get to the bottom of this, if he had any interest in fairness, he would have read the rest of that quote.

**Mr Phillips:** I will happily read it out in the hall, and I will read it all.

**Hon Mr Young:** He chose not to, and that is the problem with members—

**The Speaker:** Will the member please take his seat. Sorry again, Attorney General.

**Hon Mr Young:** That's the problem with members in this legislative chamber pretending as though this is a Star Chamber. There is a matter in front of the court. It is a court that in due course will consider all of the evidence, that will consider all of the documents, and will ultimately render a decision, a decision that will potentially attribute blame and might assess damages. Surely the members opposite have enough confidence in the judiciary of this province to allow that to occur.

## TRANSPORTATION INFRASTRUCTURE

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** My question is for the Minister of Transportation. Minister, yesterday I had the privilege of joining you, Minister

Hudak and the Premier in Grimsby when you announced the Niagara Peninsula transportation needs assessment study.

As I said yesterday, it's obviously a win-win to build this highway south and away from the Niagara fruit belt and the Niagara Escarpment. Secondly, because the study area parallels the northern boundary of Haldimand and Brant, construction of this highway can only boost the local economy in my riding to the south.

Minister, I understand that you, the Premier and a number of our colleagues are participating in the New York-Ontario economic summit held in Buffalo, New York, and Niagara Falls, Ontario. I'm sure that a wealth of ideas were exchanged at this summit, ideas that will help form future business dealings with our great trading partner, New York state. I'm wondering if the minister could share with the House some of the ideas he has brought back.

**Hon Brad Clark (Minister of Transportation):** The last couple of days have been very exciting for the province of Ontario and the state of New York.

One of the main things that struck me was the role of the United States federal government in funding transportation infrastructure. Here in Ontario, I'm proud to say that by the end of this fiscal year, our government will have invested \$6 billion in our highways. Over the same period, the federal government of Canada has contributed \$129.3 million. That's only 2%. Meanwhile, from 1995 to the end of the 2000 fiscal year, New York state made a total capital investment in highways of US\$12.2 billion. The US federal government's contribution for the same period of time was US\$5.6 billion. That's 46% of what the state put in.

There is a glaring contrast in federal commitments to transportation infrastructure funding. I'd urge the federal government to take appropriate action to address this inequity.

**Mr Barrett:** Obviously from that response the honourable member makes a hard-hitting argument. As you said, Minister, the Canadian government contributes only 2% of Ontario's highway bills versus the US federal government's 46% investment in New York state. It points to some basic flaws in the federal government's thinking when it comes to transportation funding.

I would ask the minister if he has any further information about US versus Canadian federal transportation funding.

**Hon Mr Clark:** I'd like to point out that the United States government is investing over US\$200 billion in transportation through its Transportation Equity Act for the 21st century. In contrast, the government of Canada introduced the strategic highways infrastructure program in its last budget. It committed \$600 million over five years for all of Canada. Ontario's share of the highway component will be restricted to \$168 million. Federal funding levels need to reflect that Ontario's highways are important trade corridors. Ontario should receive its fair share of any federal monies allocated for transportation, and it's not just our government that thinks this way.

Yesterday, when I announced the Niagara needs assessment study, David Leonhardt, spokesperson for the CAA, said the absence of the federal government was worrisome. He called on the federal government to allocate some of its revenues to the mid-Peninsula highway project. I agree; we hope the opposition does. I don't think so.

1520

## EDUCATION FUNDING

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of Education. Madam Minister, it's not too late when it comes to your private school voucher plan. We're going to have a final vote either tomorrow or the day following.

I'm asking now, recognizing that you have been unable to produce any reports, any evidence whatsoever that would support this massive flip-flop your government has undertaken here, understanding that you didn't campaign on this in 1995 and 1999, that you yourself said this was a bad idea, that you argued against this before the United Nations, knowing that we've now got 37,000 kids who are on waiting lists for psychological assessments, special ed kids, and that at half of our schools our parents are devoting themselves to fund-raising for textbooks and basic school supplies, understanding all of that and knowing how dreadfully wrong it would be to take \$500 million from our public schools and invest that in private schools, Madam Minister, will you now come to your senses, come to the aid of public education and scrap your voucher plan?

**Hon Janet Ecker (Minister of Education, Government House Leader):** This government agrees that the submissions of parents, that the choice of parents, is something that should be respected, whether it is within the public education system or outside the public education system. This particular proposal by the government respects that parental choice. I know the Liberal Party does not respect parental choice. On this side of the House, we do.

**Mr McGuinty:** Madam Minister, you may choose to abandon public education, but I want you to know, I want viewers to know and I want all Ontarians to know, that we choose to support it. I want them to know as well that we will never invest public dollars in private schools. We will repeal your private school voucher plan. We've got a positive plan to help public education for our working families. It starts with smaller classes. It involves turnaround teams to help our schools that are struggling. It involves lighthouse schools so that we can share best practices among all our schools. By so doing, our plan will help lift all schools up. It seems to me that's the kind of plan you should be putting forward. Having the opportunity now to reconsider this, one more time, will you now agree that our positive plan of support for public education is much better and much stronger than your plan, which is to abandon it? Once again, I ask you to scrap your voucher plan.

**Hon Mrs Ecker:** To the honourable member, on one day his members say that funding to independent schools is OK and they're not opposed; now he's saying that funding to independent schools is something he's opposed to. His candidate in Vaughan-King-Aurora, Sorbara, has been talking about, "Sometimes we're opposed; sometimes we're in favour." I guess it depends on which day of the week the honourable member is talking about it. It's a matter of when, how, if, that, and not at this time. "We can't figure out which side of the fence we're on on this issue."

*Interjections.*

**The Speaker (Hon Gary Carr):** The members take their seats. Come to order, please.

**Hon Mrs Ecker:** The honourable member says he's going to scrap the tax credit proposal we have in this legislation to respect parental choice, but it's interesting that he hasn't said he's not going to fund independent schools. He says that maybe he will. He won't do it through a tax credit. Maybe he'll do it some other way. He hasn't ruled it out. Yet again, here we go. This government remains committed to the public education system. It is a priority. We've put more money in it. We will continue to invest in public education because it is important to the parents—

**The Speaker:** The minister's time is up.

#### WASTE MANAGEMENT

**Doug Galt (Northumberland):** My question is directed to the Minister of the Environment. Earlier today you introduced a waste diversion bill in the Legislature. In my riding, constituents have been asking for deposit return to be brought back for soft drink containers. There is a concern throughout Ontario for the blue box program. It has been a very well-accepted program. In my riding we've had a wet-dry collection system since 1995. The county of Northumberland needs some assistance with this program. Minister, how will support be provided for the blue box program and the wet-dry collection program, and how will this legislation affect waste diversion in Ontario?

**Hon Elizabeth Witmer (Minister of the Environment):** Yes, I know that in the member's community they have a good program. What this initiative today will do, which I will tell you is a very bold, innovative step, is undertake to establish a very unique voluntary partnership between businesses and municipalities in this province. It will be funded 50-50 by both industry and municipalities. That will ensure the sustainability of the blue box program. It will also have as its goal to reduce waste diversion by 50%. Certainly this initiative will do a great deal to ensure that those targets are met and that we can continue to respond to the need to ensure our environment and our health are protected.

**Mr Galt:** Thank you, Minister, for that very informative answer. Consultation with stakeholders has become a hallmark of our government. We're one of the most consultative governments in the history of Ontario.

We've had extensive consultations on various issues and pre-introduction of bills. In the 36th Parliament, we had more hours and more days of hearings than either of the previous governments.

Minister, I know you and your ministry have also been consulting on this legislation for a long time. Would you share with us what the various stakeholders had to say about the Waste Diversion Act?

**Hon Mrs Witmer:** There has been incredible consultation on this waste diversion organization. In fact, there will be further opportunity for consultation this summer. But let me just share with you the quote by Ann Mulvale, president of the Association of Municipalities of Ontario. She indicated, "We are pleased to have been part of this innovative solution to accelerate waste diversion in Ontario. We congratulate the government for adopting the WDO recommendations. AMO and municipalities will continue to support this process and the work of the Waste Diversion Ontario.... We are particularly pleased that the 50-50 cost sharing arrangement between industry and municipalities in support of municipal blue box programs will be enshrined in law."

The quotes and support from municipalities and industry go on and on and on.

#### HOSPITAL FUNDING

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. Yesterday your Minister of Health and Long-Term Care attended a celebration of the completion of a new wing at Toronto East General Hospital. While he was there, both the retiring president and the new president of the hospital told your Minister of Health that they won't be able to open the new wing and operate it because you haven't come up with the operating funding.

The people of East York raised \$4 million to build the new wing, but they won't be able to use the new wing because your government hasn't provided the operating funding. Premier, will you now observe your responsibility and ensure that the \$9 million in operating funding is made available so the people can use their hospital?

**Hon Michael D. Harris (Premier):** I'm sure the Minister can respond.

**Hon Tony Clement (Minister of Health and Long-Term Care):** I would like to thank the leader of the third party for highlighting to this House that this government put \$17 million of the taxpayers' money into Toronto East General for the new J wing, and we are proud of that fact.

Thank you to the honourable member for allowing me to highlight that that is part of an unprecedented \$29-million package of capital spending for Toronto East General by this government. So I can say to the honourable member that we have been there for Toronto East General a darned sight better than his government did in their day, a darned sight better for the residents of east Toronto than in his day, and we are proud of that fact too.

**Ms Frances Lankin (Beaches-East York):** Minister, it is a really beautiful new wing, but it's empty. There are no patients, there are no doctors, there are no nurses, there are no ward clerks, there's no one in it.

The people of my community—this is my community, Beaches-East York. I was out there with them in the Buy a Brick campaign. We raised the money we needed to make that a reality. It's part of the overall restructuring of all of Toronto. We've got more people coming there because of hospital restructuring decisions. Because of home care cuts that have happened in my community, an average of 100 discharges a month won't be able to go into the community. They're going to be in that hospital.

We expected a full range of services to be open this summer. The hospital has made it very clear to you that that wing, including the 40-bed continuing complex care unit, will not open without the \$9 million for operating costs.

Minister, I'm asking you, please, this is a personal request for a commitment to the people of my community that you won't leave the shiny, new wing sitting open and that you will tell us today you're going to commit the operating dollars so those services can be there for my community this summer.

**Hon Mr Clement:** Who said we were going to build an entire new wing and then leave it empty? Who said that? No one on this side of the House said that.

I can assure this House that we will deliver the best care for east Toronto residents, including the J wing of Toronto East General. Who on this side of the House said we were not going to do that? We have put our money where our mouth is: \$29 million in new capital funding for that wing, for complex continuing care, for surgical operations, for neonatal. We will be there for the people of east Toronto. Never before has this investment been seen in east Toronto. We on this side of the House are proud of our reinvestment.

1530

### WALKERTON TRAGEDY

**Mr James J. Bradley (St Catharines):** I have a question for the Premier. It appears in some quarters that you're going to hang Norm Sterling out to dry when he appears before the commission, just because he did nothing, and yet everybody knows that the buck stops in your office. In fact, people from the commission of inquiry know the buck stops in your office. Even though they've heard you say you're prepared to co-operate to the utmost, that you had nothing to hide, that everything was going to be forthcoming, on at least two different occasions, the RCMP had to raid your office to get the information they wanted.

If you had nothing to hide, why, on two different occasions, did the RCMP have to go to your office to raid it to get documentation they obviously couldn't otherwise get?

**Hon Michael D. Harris (Premier):** I don't know where you get your information. The RCMP were invited to my office to get whatever information they wanted.

**Mr Bradley:** Perhaps they were looking for information related to what Dr Schabas had to say on Monday. Let's look at the kind of individual we're talking about. Dr Charles Hollenberg, a former director of the cancer care agency, said of him, "Dr Schabas is an intelligent, principled man who should not be ignored. He is one of the most able public health officers Canada has ever had."

Dr Schabas gave you a warning. In retrospect, given the tragedy that happened in Walkerton, where seven people died and over 2,000 became seriously ill, if you had the chance to do it over again, would you have turned away from Dr Schabas and refused to listen to his warnings?

**Hon Mr Harris:** The premise of the question is part of testimony to the inquiry. I'll be pleased to respond to that on Friday.

On the first part of the question, I think it needs to be restated that we have fully co-operated with the commission of inquiry. We've made all the information available.

**Mr Bradley:** I understand that.

**Hon Mr Harris:** If you understand that, then, by way of your third supplementary, you wouldn't have phrased the question with information that was inaccurate. I think it's important now that the record show you understand that the question you asked first was inaccurate too.

### FAMILY HEALTH NETWORKS

**Mr John O'Toole (Durham):** My question today is to the Minister of Health. As you would know, our government has been consistent with the message that providing quality health care to the people of Ontario is our top priority. For this reason, I was very pleased, of course, when Premier Harris once again reaffirmed our government's commitment by announcing the formation of a new organization, one designed to provide the people of Ontario with steady health care through local family health networks called the Ontario Family Health Network.

This month you announced the board of directors for the Ontario Family Health Network. One of those individuals, I'm pleased to say, is from the riding of Durham, Ms Betty Penny. Can you outline for my constituents and for all the people of Ontario what the main functions of this organization are expected to be?

**Hon Tony Clement (Minister of Health and Long-Term Care):** Indeed, our government is proud to be supporting the Ontario Family Health Network, a network that is going to encourage family doctors and other health providers such as nurse practitioners to work together in a primary health care network to provide more enhanced, 24-hour-a-day, seven-day-a-week accessible care for people who wish to have access to family physicians.

We're expecting to see 80% of our family physicians join the family health networks, 600 of them over the next three years. I'm proud to say that since November of last year, an additional 40 groups representing as many as 550 doctors have requested a meeting as the next stage to get to establishing a family health network as well.

I should say for the record that we have committed \$250 million to the effort, including \$100 million of financial incentives for doctors who join family health networks.

**Mr O'Toole:** Minister, that answer clearly outlines your commitment. I know you're continually working on forming partnerships with doctors, nurse practitioners and other health care providers. I hear that in caucus. I have every confidence in your commitment. In your last answer, you indicated \$250 million to help with the expansion of primary care networks across Ontario over the next three years. Could you explain to my constituents in Durham and all the people of Ontario how this program will help, specifically, areas like mine, the rural parts of Ontario?

**Hon Mr Clement:** We are quite confident this will have a major impact in both our rural and northern areas in particular. We're trying to find better health care for our citizens in these areas, indeed in all areas of Ontario, through extended office hours and weekend and holiday service, at no extra charge to the patients, I might add; as well, a system for the doctors to share information about patient medical history and medications and treatment with the professionals of the network. For instance, if a patient is treated at night, the very next morning the family physician will know what follow-up is necessary immediately for that patient.

We think it's a better system for family physicians, a better system for patients, a better system for nurse practitioners and other health professionals, to finally work together outside of the hospital setting and thereby give us better health care for all Ontario.

#### DIALYSIS

**Mr John C. Cleary (Stormont-Dundas-Charlottenburgh):** My question is to the same minister, the Minister of Health. Thelma Poitras of Long Sault is one of 18 plus residents of our part of eastern Ontario who have to receive dialysis treatment. Right now Thelma must travel three times a week to Ottawa, Kingston or Brockville to receive this treatment. She leaves at 10:30 in the morning and returns at 7 at night. The Red Cross provides transportation, but they charge an additional \$300. As well, she must wait, exhausted after her treatment, until everyone else has had their treatment and they return home.

Because of your failure to provide sufficient access to dialysis treatment in Cornwall, Thelma and 17 other individuals travel to Ottawa or Brockville three times a week. Now that might not seem like a long time to you, Minister, but I can tell you it's a heck of a long time after three hours of treatment. The amazing thing is the

facilities are already there in the community for these patients who want to receive treatment locally, and the funding is there as well. The only problem seems to be government red tape.

Minister, I have been writing to you and the former minister about this. I even spoke to you in the Legislature and you told me you would get back to me. To date, you have failed to reply. How much longer do I have to wait and how much longer do my dialysis patients have to wait?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I have been having a conversation with the honourable member and I will continue to seek his input and advice. I can tell this House what I'd be happy to tell the honourable member directly, that indeed there will be an expansion of kidney dialysis in Cornwall in the near future. We are funding it, we are approving it, just as we have been approving the expansion of kidney dialysis in many of our rural settings and many other communities across this province.

We have seen an unprecedented expansion of kidney dialysis to provide better health care at home for our communities, for people in our less populated areas, so they can have the kind of health care the honourable member requests. Cornwall will be no exception. We intend to approve the program for Cornwall as well.

**Mr Cleary:** That sounds like a lot of rhetoric. We've been getting the runaround for a long time.

I have a letter here from the Cornwall General Hospital. It says they won't be able to have dialysis treatment there until mid-winter of 2002. That's not good enough. This means patients will still have to travel under winter conditions to Ottawa, Toronto or Brockville. It means Mrs Poitras will still have to pay her \$300 a month. Thelma and these other patients have no choice if they want to live. Minister, you have to expand the dialysis service for Cornwall and area. It won't cost the government one extra penny. How much longer are these patients going to have to wait because they want to have dialysis in their own community? I would like an answer.

**Hon Mr Clement:** The answer is yes. The answer has been yes since October 2000, when we committed another \$37.9 million for kidney dialysis services, which includes the expansion and establishment of new dialysis units in Fort Frances, Cornwall, Hawkesbury, Peterborough, Toronto, Winchester, Picton, Bancroft, Barry's Bay and Goderich.

We are moving ahead with this. We are working with the local hospital authorities to see dialysis available in the honourable member's catchment area and constituency. This is a commitment we made in October 2000. It's the right thing to do. We have found the money to do it. We are expanding health care services in this area, just as we are expanding as a result of another \$1.2-billion budget increase for health care in the 2001 budget.

We will be there for the citizens of Cornwall, and the honourable member can be part of our team. If he wants to be helpful, he should contact his local MP to make sure the federal Liberals understand how important health

care is in Cornwall so they can be part of the solution as well. That would be helpful.

1540

### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** I have a question for the Minister of Community and Social Services.

*Interjection.*

**The Speaker (Hon Gary Carr):** The member is interfering with the member trying to ask the question. I would appreciate allowing the member for Dufferin-Peel-Wellington-Grey to ask it. Sorry for the interruption.

**Mr Tilson:** To the Minister of Community and Social Services: I've been approached by a number of residents in my riding of Dufferin-Peel-Wellington-Grey with respect to looking after individuals with a developmental disability. They've been educating me on the need to continue to offer day programs and respite services to the families who live with developmental disabilities on a daily basis. The need seems to be greatest with young adults who are over the age of 21 and out of the school system.

Minister, you recently announced additional funding for individuals with a developmental disability and their families. This of course is good news for all Ontarians. Would the minister be able to give my constituents more details on how this new money will be distributed?

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** Let me acknowledge at the outset the commitment my colleague from Dufferin-Peel-Wellington-Grey has brought to this issue, as have a good number of members from all sides of the House.

This government recognizes we can do more to support people with a developmental disability in their community. I can tell you that in this member's riding we're going to do a lot to try to address the quality of care. We're going to do a lot to help revitalize agencies. He mentioned respite care. Obviously that's tremendously important to supporting families and communities. Day programs can be a really big input, not just for the person with a developmental disability but their family in terms of being able to provide a place for them in the world and in terms of providing respite care during the day. I think agencies in his constituency will be able to benefit from these initiatives.

We have made a commitment to the Ontario Association for Community Living and the OASIS group, the two principal groups that lobby on behalf of people with a developmental disability. We want to get this funding flowing within 100 days of the announcement we made in late May, and we're on track to do that, and in the member's constituency.

**Mr Tilson:** I'm hopeful families in my constituency will benefit from this funding. My colleague Mr Spina,

the member from Brampton Centre, and I have been working with Brampton-Caledon Community Living to ensure that students who are currently enrolled in a program with the Ministry of Education's after-21 pilot project have a similar program available to them in September, because at that time it ends. It's important for both the students and their families that these young adults have community-based programs to access in the coming months. Can the minister assure me today that he is planning now as to the best way to serve these families?

**Hon Mr Baird:** I can certainly give that commitment to my colleague for his part of the province. Providing supports for those young people leaving the school system is something that's incredibly important. There is a pilot project that has been going on in which people are still in school, the pilot project the member mentioned. That will be continued in the next year.

*Interjection.*

**Hon Mr Baird:** The member opposite from Kingston says we're not doing anything. We announced a new program last year providing \$6 million. Some people were disappointed there was no specific mention in the budget about continuing this program. I'm pleased to commit that we will not only continue the program, but we will provide a 100% increase in the budget to be able to provide supports for people in the member opposite's riding.

I know he and our colleague from Brampton have worked and lobbied very hard on this effort and I want to congratulate him and his colleague for their work on this behalf. We're very excited that the foundations initiative will be able to double and expand right across Ontario.

### FIRST NATIONS

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Natural Resources. He was here.

**The Speaker (Hon Gary Carr):** Any help from anyone on whether he's left for the day? No, his books are here. There he is, down at the end. Sorry, I didn't recognize him. Wait until he gets to his seat.

Continue, leader of the third party.

**Mr Hampton:** Minister, for four years now the NAN First Nation in northern Ontario have asked your government for a meaningful consultation process before you try to push more logging and mining developments in their territory. During the so-called Lands for Life process, you refused. De Beers diamonds, which is interested in diamond exploration, has written to your government and advocated that you begin a consultation process. You've refused again. Now the NAN First Nation has taken the unprecedented step of going to the United States Department of Commerce and asking them to investigate whether or not Ontario is subsidizing the softwood lumber industry on the backs of First Nations. It's unprecedented, Minister, but they've had to do it to get your attention. Will you commit to meaningful

consultations with NAN First Nations before you try to push more mining and logging developments in their territory?

**Hon John Snobelen (Minister of Natural Resources):** The leader of the third party will know from his experience in government that there are a series of regular meetings with First Nation groups, including NAN, across the province to talk about these very serious issues and about the development and economic prosperities of their communities. We take that very seriously.

We met as early as two weeks ago. I know that the Minister of Northern Development was involved in that meeting, as was the Minister of Energy and the Attorney General. So we had quite a gathering. We have ongoing meetings to meet these concerns and to try to plan a future together, because we think that's the way to do it.

**The Speaker:** Supplementary, member for Timmins-James Bay.

**Mr Gilles Bisson (Timmins-James Bay):** One quick meeting with the NAN First Nation is not going to do it. You're not doing meaningful consultation as is required under term 49 of the EA. The First Nations communities are being very clear to you. They're saying, "If you don't take the time and consult with us, we will take action ourselves." If that happens it means jobs in northern Ontario could be at risk when it comes to the development of both mining and forestry north of 50.

Minister, we are asking you very simply to do your job. Stop hiding behind your desk. Get out and consultate with the First Nations communities. Do that for the good of not only the First Nations community but for the betterment of Ontario.

**Hon Mr Snobelen:** I'd like the member opposite to know that I give good consultate. In fact—it's a serious subject—at the meeting that I mentioned earlier, two weeks ago, we committed to a series of meetings from this date forward. We are planning those right now so we can have serious discussions, because we take the economic development of our First Nations communities very seriously and we know the way to do that is through partnership. We have a proven track record on that. That's why we have 378 new parks and protected areas in this province. That's why we've been able to preserve more than six million additional acres for future generations and why we have a healthy and prosperous forest industry in this province by an accord. That's our record and we're going to build on it.

#### HOME CARE

**Mr Dominic Agostino (Hamilton East):** My question is to the Minister of Health. Minister, with your typical cavalier attitude you stepped in yesterday and you fired the board of the CCAC in Hamilton that runs home care. That's typical of this government, as you simply continue to blame others. Clearly, the report that you chose to ignore sections of also blamed your government for lack of direction for boards in the province of Ontario.

Since 1997, you have set up these boards without any clear guidelines, without any clear directions. You've underfunded home care in Hamilton. Instead of dealing with those real, deep-rooted issues that have denied proper access to home care, you took the easy way out; you took the cheap way out. You stepped in, you fired the board, and you're going to step in and save us again. You did this with the Hamilton Health Sciences Corp and then you bailed them out and acknowledged you were wrong.

Minister, will you acknowledge that you are as responsible for the problems in home care in Hamilton as the board that you just fired? Give us the proper funding. Fix the problem. Give us some clear guidelines. Stop pointing fingers and start pointing directions to boards across Ontario.

1550

**Hon Tony Clement (Minister of Health and Long-Term Care):** I thought I had heard everything in this House, but now I have heard everything in this House. Here is an honourable member, who, if he read the report today—it would have shown serious managerial deficiencies, serious governance deficiencies that were affecting the health of his own constituents. He has the gall, the audacity, to stand in his place and to say that we should not act to save the health of—

*Interjections.*

**The Speaker (Hon Gary Carr):** Will the minister take his seat. I fight to give to the member the last question and we end up yelling and screaming at each other. Sorry for the interruption. Minister of Health.

**Hon Mr Clement:** He is a member of a caucus that defines itself by saying no to common sense. When we come in here and we want tax cuts to create jobs, they vote no. When we come in here and we want to reduce red tape to create more jobs and more economic opportunity, they say no. When we want to reform the welfare system to ensure that people on welfare have a decent chance for a job, they say no. They know how to say no; they have no idea how to govern.

**Hon Janet Ecker (Minister of Education, Government House Leader):** On a point of order, Mr Speaker: Notwithstanding standing order 30(b), I'd like to seek unanimous consent to allow the full 15-minute allotment for the presentation of petitions.

**The Speaker:** Is there unanimous consent?

**Interjection:** No.

**The Speaker:** I'm afraid I heard some noes.

The member for Windsor-St Clair has given me a point of privilege and he may proceed.

#### CONTEMPT OF PARLIAMENT

**Mr Dwight Duncan (Windsor-St Clair):** Thank you, Mr Speaker. I wrote to you earlier today pursuant to standing order 21(c), serving notice that I intended to raise this point of privilege this afternoon regarding the Provincial Auditor, whose role it is to ensure the accountability of the government of Ontario.

It is my submission that the government of Ontario has perpetrated a contempt of this Legislature by impeding and obstructing an officer of this House, the Provincial Auditor.

What is it to be in contempt of Parliament? Let me quickly cite two references from the 22nd edition of Erskine May. Quoting from page 108 on contempt, "Generally speaking, any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt even though there's no precedent of the offence."

On page 125 of Erskine May, 22nd edition, under the subtitle "Obstructing Officers of Either House," I read, "It is a contempt to obstruct or molest those employed by or entrusted with the execution of the orders of either House while in the execution of their duty."

Further on it is indicated, "Both Houses will treat as contempts, not only acts directly tending to obstruct their officers in the execution of their duty, but also any conduct which may tend to deter them from doing their duty...."

In a recently published House of Commons Procedure and Practice by Marleau and Montpetit, it is similarly affirmed that it is such a contempt of Parliament to stand in the way of an officer of Parliament who's doing his or her duty. Let me cite one reference from Marleau and Montpetit on page 67 that refers to the ruling of Madam Sauvé, who was Speaker in 1980. She wrote, "While our privileges are defined, contempt of the House has no limits. When new ways are found to interfere with our proceedings, so too will the House, in appropriate cases, be able to find that a contempt of the House has occurred."

The case of privilege that I rise upon today stems from a letter that was sent from the Provincial Auditor to my colleague, Mr John Gerretsen, Chair of the standing committee on public accounts. You, sir, were copied on that letter. Among other things, the letter states, "The board's reduction by \$608,800 of the funds requested to perform my responsibilities under the Audit Act must be considered in light of the fact that my office is by far the most underfunded legislative office in Canada."

It is the mandate of the Provincial Auditor to assist the Legislative Assembly of Ontario in holding the government and its administrators accountable for the quality of the administration's stewardship of public funds and for the achievement of value for money in government operations.

The Provincial Auditor goes on in his letter to say, "As a servant of the Legislative Assembly and the public accounts committee, I consider the inadequate funding provided as interfering with my office's ability to fulfill its responsibilities under the Audit Act in a timely manner and is counterproductive to good accountability." The auditor's word is "interfering."

Mr Speaker, earlier this session we heard from the Information and Privacy Commissioner with respect to the difficulty she was having in getting information from the government. The Ombudsman has reported on his concerns respecting the government's lack of willingness to co-operate. Last week, the Environmental Commissioner took the extraordinary step of issuing a special report to criticize the government for disregarding and discounting the authority of his office.

We now have a letter from the Provincial Auditor clearly stating that he cannot fulfill his responsibilities due to government interference. The government controls the Board of Internal Economy. The Minister of Labour has stated openly his views at those meetings with respect to not providing the auditor with the funds requested. Such interference with an officer of the Legislature, it is our contention, is nothing less than contempt.

Earlier today, Brenda Elliott, the Minister of Intergovernmental Affairs and a former Minister of the Environment, testified at the Walkerton inquiry with respect to government business plans, that in fact there were two different business plans for the Ministry of the Environment in existence in 1996. One, an internal document, included some of the potential risks that could result from cuts to the ministry. The other, a document for public consumption, did not contain the risks. That document was tabled in this Legislature in May 1996.

The document states in part, "Central to this approach is the principle of accountability." The document goes on to note, "As recommended by the Ontario Financial Review Commission and by the Provincial Auditor, the government will work with the Legislature to integrate business planning and performance measurement into ministers' accountability in the Legislature."

It's interesting to note, by the way, sir, that in the ministry's core business plan in 1996, it states that "safe drinking water is a right."

Mr Speaker, I believe that Minister Elliott's testimony today, in addition to the letter from the Provincial Auditor, serves as an important example of a lack of willingness on the part of the government to co-operate with you as Speaker or with the officers of your assembly.

Mr Speaker, in the last three weeks, four officers of this assembly have reported on varying degrees of government lack of willingness to participate in their statutory obligations and hence have deprived members of this assembly, but more importantly the people of Ontario, of the right to have oversight of their government and to have truly open, accessible government.

It is my submission that this type of activity should be uncovered by the Provincial Auditor, yet today in the clearest of terms he has alleged interference in the performance of his duties. We believe, Mr Speaker, that there is a systemic campaign designed to prevent true accountability to this House.

We have as examples the Information and Privacy Commissioner, the Ombudsman, the Environment

Commissioner and today, the Provincial Auditor. We are told under sworn testimony today that with government business plans in 1996, there was one set for the public and one set for the government. It's our allegation, sir, and we call upon you to defend the interests of this Legislature and defend the interests of the people of Ontario from a government that is systematically keeping information from the public.

We have seen the use of time allocation and closure in this House more than ever before. Everything points to a systematic determination to undermine our ability as members to hold to account the government, but most importantly, sir, when we witness the kinds of consequences we've seen, such as Walkerton, we understand full well the importance of not having two sets of documents, but one, so we can understand them all. Most importantly, no government should use its majority at the Board of Internal Economy to interfere with the Provincial Auditor, a Provincial Auditor who is funded less than any other auditor in any Legislature in the country.

1600

Mr Speaker, we ask you to consider this point of privilege in light of that, the letter and other evidence I've provided you with, and we anxiously await your response.

**The Speaker (Hon Gary Carr):** On the same point of privilege, the Minister of Labour.

**Hon Chris Stockwell (Minister of Labour):** Thank you, Mr Speaker. If there was a point of privilege there, I haven't heard it. It's a house of cards—

*Interjections.*

**Hon Mr Stockwell:** I haven't heard it. We have an opportunity of listening to them as well. I don't know what privilege he's standing on.

**Mr Duncan:** Contempt.

**Hon Mr Stockwell:** Contempt? Now it's contempt.

Mr Speaker, luckily you were at the meeting, which may bring some light into this situation. There is a process that's put in place. This house of cards that was built by the opposition House leader is so bogus and so completely full of holes that the abuse is the amount of time this Legislative Assembly is taking to discuss it.

First, the process for the Board of Internal Economy is to set the budgets for the officers of this Legislative Assembly. Had he talked to any members of that—and he has a member on it; the member for Hamilton East, I believe. He knows full well the process is that the budgets are submitted, debated, passed, and they can be appealed. The Provincial Auditor exercised his right to appeal under the process adopted by the Board of Internal Economy. In that appeal process, the auditor outlined his position to the committee yesterday, also citing in that letter, which I don't have a copy of—I wish I had thought to bring it today; it would have been very helpful to know this was being brought up by the member opposite. I would outline that the Provincial Auditor made a significant number of assertions at that meeting. Those

assertions had nothing to do with contempt. Those assertions had nothing to do with contempt by this House.

Also, if the member knew the Audit Act, he would know that the auditor has a provision to get to this House if he believes there is interference or any kind of process that any member of this House is using to impede his ability to do the job.

Now, Mr Speaker, the crux of this issue comes down to, what did the Board of Internal Economy decide to do yesterday with that appeal? The Board of Internal Economy decided, as the members of the government said they would like to do some discussing of this with their members of caucus, checking out the facts as submitted by the auditor—which I don't think is unreasonable at all, doing some simple due diligence on the information brought to the committee by the auditor to determine whether or not it is truly reflective of the assertions that were being made. In essence, Mr Speaker—and you were there—they asked to defer the decision for two weeks. They didn't decide not to do what the auditor requested. They didn't decide to pass the budget that was passed at the Board of Internal Economy. They simply decided—and if this is contempt, it's unbelievable—to take two weeks to investigate the information, talk to the members of their own caucus and ask them what they think of this particular approach.

This is ridiculous, to outline in this House that somehow taking two weeks before making a decision to talk to your members is contempt. The member obviously has become House leader and he's built this house of cards overnight, with the help, I guess, of the member for Hamilton East and the member for Kingston, who was there as Chair of the public accounts committee.

This is disgraceful, that he would even intimate that there was any contempt, any thought of contempt, any thought by this government to railroad some decision down the auditor's throat, when the simple request at the Board of Internal Economy was, "Maybe we should talk to our caucus mates. Maybe we should investigate this information and we should decide to make a decision in two weeks." Contempt? That's piffle.

**Mr Peter Kormos (Niagara Centre):** Mr Speaker, on the same point: as briefly as possible, I want the Speaker to know that the New Democrats share the concerns raised by the Liberal House leader. It's understood that the vote on the matter has been deferred for two weeks, but that's precisely the problem, that is, in two weeks' time one has to assume there will be no Legislature sitting, no Speaker sitting to which an appeal can be made for relief.

I can't quarrel with the fact that the decision hasn't been made yet and that to some extent you're being asked to rule upon something in an anticipatory way. But the appeal to you, Speaker, I submit, is at the very least at this point, in view of the fact that it is anticipatory, to clearly express, in response to the point of privilege raised, some direction and guidance as to what constitutes and what does not constitute contempt in this context.

Last evening, the Speaker is well aware, we talked about the nature of the special servants of the House, the officers of this assembly, when we were debating another motion. Clearly one does not want to entrust them with responsibilities and obligations; the special responsibilities and obligations of the auditor being to hold the government accountable, as the auditor and the auditor's office have done for successive governments, inevitably at the displeasure of the government of the day. That's acknowledged. The auditor is in a very difficult position in that regard.

We're talking here about the auditor's independence. It's one thing to create independence by virtue, let's say, of the appointment process, but then if a government does through the back door what it dared not do through the front door, that is to say, by controlling the resources available to that auditor, I put it to you that is a direct attack, among other things, on the independence of the auditor. You can have the most independent auditor in the world, but if the resources aren't adequate then you reduce that independence to mere lip service, to a mere label, without any content or meaning.

I trust you will have access to the letter of June 7, 2001, from the auditor to Mr Gerretsen, the Chair of the committee. I ask you to make special reference on page 2 to the two issues the auditor has been called upon to investigate: (1) the motion made by Ms Martel with respect to the OPG and Bruce partnership leasing agreement; and (2) in the case of the CCO special assignment, two very legitimate—you see, the committee has the power to direct the auditor to do these investigations, to conduct these audits, but the government, by virtue of its majority on the Board of Internal Economy, has the power to short-circuit the will of the committee and also to obstruct the role of the auditor.

Once again, I submit to you that clearly the BOIE has a legitimate role in scrutinizing the auditor's request for funds. An outrageous and frivolous request for funding to, let's say, upholster furniture is one thing, but when the auditor has, as he has in his submissions to the Board of Internal Economy, indicated that specific funding is needed, for staffing particularly, to comply with the will of that committee, it places it in a far different scenario.

I submit that the Board of Internal Economy's ability to review and control the auditor's budget should become very limited at that point. The ability of the BOIE to control the auditor's budget should be limited to what are clearly frivolous or maybe non-essential expenditures which could be discretionary but aren't related to the auditor's function of his responsibilities as they apply to his broader role as auditor or to the directions he receives from the public accounts committee.

I leave it at that, sir. I think you understand that argument, but I want to reiterate. Granted, this is an anticipatory issue, but you're not here, so to speak, sitting in that chair in two weeks' time. It will be several months, then, before there will be any recourse to the Speaker in the event of the worst-case scenario.

It's clear that the auditor, in his second-to-last paragraph, anticipates, realistically or unrealistically, being obstructed by the denial of funding or at least the prospect of it.

1610

I think, sir, the Speaker, in response to this point of privilege, has to deal, or should deal, with the auditor being fearful of being obstructed, with the committee members being fearful of the auditor being obstructed. I submit that one of your responses to this point of privilege can be direction or clear definition as to the scope of the BOIE and the limitations of that scope when they're reviewing the auditor's budget, that that scope should not, must not, cannot extend to interfering with budget requests that would directly interfere concurrently with the auditor exercising his duties.

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** On the same point of privilege, Speaker, and I will be brief: I've raised the issue with you informally as well as having previously raised it in the House, and you have undertaken to investigate the situation and report back at least to me informally. But I believe it obviously ties very directly into the point of privilege that's been raised. The specific point, of course, Mr Speaker, is the fact that I moved a resolution in the public accounts committee, which is one of the privileges that we enjoy as members. I was fortunate in being able to secure support of a majority of the committee to have a value-for-money audit done on the private cancer care clinic that had been set up.

The auditor has indicated at public accounts committee in public session on more than one occasion now that if there is not some additional funding, that audit may not be carried out and will certainly not be able to be carried out until at least the end of the year. The purpose of the value-for-money audit was to look at whether in fact there is a cost saving, as the government claims there is, to the private clinic, or what the cost of it may be prior to the renewal of the contract for that private clinic, which comes at the end of the year.

The Minister of Labour suggested that the delay in dealing with the auditor's budget proposal is just a two-week delay. As our colleagues have pointed out, that does coincide with the fact that you are no longer in the chair and able to rule on these issues, which causes me a great deal of concern. It also causes me concern that any delay at all is going to mean that that particular value-for-money audit of the private cancer clinic cannot be carried out in time to be of effect prior to a reconsideration of the contract for the subsequent year.

Mr Speaker, my only recourse, my only privilege as a member of the Legislative Assembly to get an issue which I believe is really of significant public interest evaluated by the auditor, by that officer of the assembly, is to secure majority support for a resolution in the public accounts committee. I took that route. I was successful in securing that support. My ability as a member, and indeed of all the members of the public accounts committee, the majority of whom supported the

resolution, is in fact being interfered with not only by a refusal to grant the funds, but the delay in considering the auditor's proposal for the funds necessary to carry out that audit.

**Hon Janet Ecker (Minister of Education, Government House Leader):** I appreciate the games the opposition is trying to play with this and the political spin that they're trying to put on this, but I think for them to suggest that when any officer of this Legislature, when any ministry, when any deputy minister comes before the government and says, "We want X per cent increase in our budget," it should automatically be granted without members of the appropriate committee doing due diligence is absolutely outrageous.

That is our job, to do that due diligence, to make sure, with requests that are being asked for, that the facts have been verified, that we have been able to satisfy ourselves that requests are legitimate or not legitimate, as the case may be. As the honourable members well know and as you yourself, Mr Speaker, are well aware, there is a process.

The auditor did raise concerns about lack of funding. He put his case forward. The Board of Internal Economy is considering that. We have asked for additional time, two weeks, to do that. That doesn't mean the decision won't be made, but I do think, when someone is requesting additional taxpayers' dollars, justified as requests may well be from time to time from different agencies or organizations or ministries, that time to make sure that due diligence is done is an appropriate thing for members of this Legislature to do.

There will be a decision made. The decision will certainly be done according to appropriate processes and procedures. I think that no one has had their privileges or any other thing abused here, other than the abuse of process we've heard from the honourable members who are sitting here asking you to make some ruling in advance of decisions that haven't even been made yet, Mr Speaker, which I think is putting you in a very difficult position, with all due respect.

**Mr David Caplan (Don Valley East):** On the same point of privilege, Mr Speaker: I concur with the member from Windsor-St Clair. The Provincial Auditor is yet the latest legislative officer who is alleging that there has been interference, there has been obstruction, there has been difficulty in being able to obtain information, information as it relates to government oversight. I can tell you, Speaker, that I have risen twice on points of order in relation to questions, legitimate questions, as under our standing orders, that have been placed to the Ministry of Municipal Affairs and Housing. You have twice ruled that it is a valid and legitimate point of order, yet after both of those rulings there has still been no reply, there has been a deafening silence from the ministry.

I submit to you, Speaker, that there is distinct evidence and a pattern of behaviour that clearly demonstrate that the government, under the guise of whatever it wishes to call it, is working to interfere with the rights of members

individually, the rights of members collectively through its legislative officers. I hope that you will take this all into account in your deliberations.

**The Speaker:** I thank the member for Windsor-St Clair for his very thorough point of privilege and presenting it to me. I thank the Minister of Labour, the government House leader, the member for Niagara Centre and the members for Don Valley East and Thunder Bay-Atikokan for their input. I definitely will review all of the documentation and reserve my judgment until then.

It is now time for petitions. Oh, I'm sorry, it's not. It is past 4 o'clock.

## NOTICE OF DISSATISFACTION

**The Speaker (Hon Gary Carr):** Just before we begin, pursuant to standing order 37(a), the member for Hamilton East has given notice of his dissatisfaction with the answer to his question given by the Minister of Health concerning home care in Hamilton. This matter will be debated today at 6 o'clock.

## ORDERS OF THE DAY

### TIME ALLOCATION

**Hon David Young (Attorney General, minister responsible for native affairs):** I move that pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 82, An Act to amend the Legislative Assembly Act to provide an arm's length process to determine members' compensation, the standing committee on justice and social policy shall be authorized to meet at 9 am on Wednesday, June 27, 2001 for clause-by-clause consideration of the bill;

That, at 9 am on this day, the Chair shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That any divisions required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 127(a);

That the committee shall report the bill to the House not later than June 27, 2001 at the time set out during routine proceedings for reports by committees. In the event that the committee fails to report the bill at that time, the bill shall be deemed to be passed by the committee and shall be deemed to be reported to and received by the House;

That, upon receiving the report of the standing committee on justice and social policy, the Speaker shall put the question for adoption of the report forthwith, and at such time the bill shall be ordered for third reading;

That the order for third reading may be called on that day, and when the order for third reading is called, the

Speaker shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That no deferral of the third reading vote pursuant to standing order 28(h) shall be permitted; and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

**The Deputy Speaker (Mr Michael A. Brown):** The member for Northumberland.

**Mr Doug Galt (Northumberland):** Here we go again: the hallmark in this government of obstruction from the opposition, forcing the government to bring in a time allocation motion. It's been a hallmark of this government to have extensive consultation. I heard some jeering earlier when I mentioned that when asking a question of the Minister of the Environment. There's just no question, and if I have time, I will go through some of the times that we've had on various bills.

We're really talking about the MPP compensation bill, Bill 82, and the time allocation for that. It's rather unique that a group of people would be put in a position to be able to vote on their own salary. This happens in very, very few instances in professions that I'm aware of.

1620

I don't think there's any question a lot of people would agree that maybe it's time there were some salary adjustments for MPPs. I'm not saying which way those particular adjustments should go; that would be in the hands of a third party, in this case the Integrity Commissioner. I think that's an excellent choice. My position always has been that it should be in the hands of either a third party or you vote on the salary that the elected people would receive in the following term, whether municipal or provincial. Voting on your own I believe is a bit of a conflict of interest.

I look at a lot of things that MPPs do, including the opposition. I have the greatest respect for the kind of work they put forward, their reason for being here. I disagree on occasion with some of the positions that they take, but all of us tend to work seven days a week, put in 80- to 100-hour weeks. Certainly as politicians we didn't particularly take on the job to get rich; it was more for the purpose of public service.

When I look at what's happened federally, I'm a little horrified to see some of the things that our federal politicians did in Ottawa. They went from \$68,000 plus a tax-free allowance to \$131,000 and somehow or other they call that a 20% increase. Yet the press says that if we go from approximately \$78,000 to \$131,000, that's a 70% increase. There's something seriously wrong here with the way the feds have managed to calculate that out. But I congratulate the federal members, the MPs, that they did get rid of the tax-free allowance. It's straightforward. The only ones left now in the province of Ontario with a tax-free allowance are the municipal politicians, and I think it's high time they too got rid of the tax-free allowance. But unfortunately for the taxpayers of Canada, the federal MPs have kept their gold-

plated pension plans. It's my understanding that it was costing about \$35,000 for each MP per year to support a gold-plated pension for them at \$68,000 or \$69,000, in that neighbourhood. Guess what it may be costing today, when their salary's at \$131,000. It must be in the neighbourhood of \$60,000 per year per MP to produce that.

I think as adjustments are made the third party would be looking at cost of living, things like inflation, things like workload—and it's well known that the issues and the number of people that come to MPPs' offices are far greater than those that come to MPs' offices. There's certainly a lot more responsibility and they're a lot busier.

Our government has stood for pay for performance since back in 1995, and we've worked to that end, whether it be for cabinet ministers or whether it be for senior administration in the respective ministries. As a result of that, we've seen a tremendous amount of economic recovery that's happened here in the province of Ontario. We believe in the principle of hard work and dedication, and as a result it has indeed paid off. As we committed prior to 1995, we got rid of the MPP gold-plated pension program, we got rid of the tax-free allowance, and it's a straightforward salary, the way it should be for any politician in any role.

If you go back in history you'll find that back in 1993, with the social contract that broke absolutely every public service collective agreement in the province of Ontario, the MPPs also took a 5% cut. That has not been recovered. There was also another 5% cut taken in the 1995 adjustment.

There's been a large number of unique initiatives taken by this government to jumpstart the economy. The Premier said that once we get a balanced budget and we've worked hard and it has been recovered, there should be adjustments to the salaries.

Our government has helped well over a half-million people off welfare, most into sound, well-paying jobs in the province of Ontario. A few were found to be in jail and they're no longer receiving those kinds of welfare payments—thanks to our Minister of Correctional Services for identifying that. I think in the neighbourhood of 2,000 were on welfare and being housed in our provincial institutions.

We've seen a tremendous drop in the unemployment rate in Ontario. Also, we've seen the employment of a net almost one million people. Within a few months, I'm sure we will beat that figure of one million net new jobs. With a Harris government giving good direction, making tax cuts, we've ended up with the third consecutive balanced budget in the province of Ontario. So I think it's logical, it's not surprising, that a review of and an adjustment in the compensation of MPPs is in order.

I look at some of the things that have happened in Ontario, like the bottom line, for example. We're now taking in \$15 billion more in revenue than back in 1995. In 1995, the superhighways, particularly around Toronto, were almost vacant. You could cruise into Toronto at any

time of the day, not run into any kind of traffic jams because there were so few people going to work and there were so few goods being moved out around the province for people to buy. In 2001, with the stimulation of the economy and this almost one million people working, more people having tax dollars in their pockets to spend, we've ended up with a gridlock. It's not surprising at all, with those numbers of people on the road going to work, that this has happened. I think the members in the opposition parties experience the same thing coming into Toronto. They know that back in 1995, you could drive into Toronto at any time and not have stop-and-go traffic. Not so today. They look more like a parking lot. The reason for it? All these people going to work.

Mr Speaker, I think you'll remember the all-party agreement on a bill that was passed back in 1996 that once the budget was balanced, we would have the Speaker address the compensation issue for MPPs and come forward with a recommendation. We all agreed to that but, lo and behold, what happened when it was really brought forward? A flip-flop. The leader of the official opposition flip-flopped. He was the first to come out and yell and scream, "It's not right, it's not fair," when in fact that's exactly what he had agreed to only a few years before, approximately four years, maybe as much as five years. Maybe in that short period of time, he had forgotten what he had really committed to. I think it's unfortunate that he would forget that quickly but, lo and behold, obviously that did happen. But it's good to know that the official opposition and the leader are agreeing to this third party review that would be required. The end result would be in the hands of the Integrity Commissioner. I can't think of a better person to look after the compensation of MPPs.

All in all, I certainly can support this bill and look forward to a speedy passage before the end of this session.

**The Deputy Speaker:** Further debate?

**Mr James J. Bradley (St Catharines):** Mr Speaker, as you know, I have been consistent in opposing time allocation motions which come before the House. I think there would have to be extreme circumstances before an opposition party or an opposition person would vote for a time allocation motion. I well remember some of the more senior members on the government side, when they were in opposition, spoke vociferously and, I thought, compellingly against time allocation motions which were applied to them by, at that particular time, the NDP government, but if it was a previous Liberal government, I'm sure they would have spoken against it on that occasion.

This particular motion is very tight in the amount of time that it allocates when you talk about time allocation motions. What a time allocation motion means is shortening or choking off debate, ending debate on a particular subject. This bill has not received a lot of time in this House, compared to many other pieces of legislation. I think there should be opportunity for members on any

piece of legislation of any significance to be able to speak on it. That is why I am opposed to this particular time allocation motion.

I would have preferred this afternoon that we were talking about other issues, that we wouldn't talk about a time allocation motion; that we would talk about the fact that probably days after this Legislature shuts down, there will be an announcement in St Catharines that they will be closing the Hotel Dieu emergency department and that the final decision will be made to move the kidney dialysis unit somewhere else and to move the oncology department somewhere else. I would like to see us instead debate that kind of issue, because I would be speaking against that happening in my community. Instead, we spend an inordinate amount of time dealing with time allocation motions of the kind we have before us this afternoon.

**1630**

Governments are in a special position. They have special powers. They have virtually unlimited staff to advise them. They have both the ministry staff and the political staff, and because the government is in a majority, they have even more staff available to the members of the Legislature. We know that the ministerial staff and the Premier's staff received a raise of up to 30% or more this year, while everyone else was being asked to take 2%. The individual members of this Legislature who have executive assistants or legislative assistants—those individuals did not get a raise, while the Premier's staff and the ministers' political staff received substantial increases. That tends, I think justifiably, to have people concerned and disgruntled about that particular fact. I think we should be treating people with fairness in that regard. If we were talking about that this afternoon, that would be a reasonable subject to be talking about.

But governments do have special powers, and time allocation is one that I think is very insidious. When this rule change was made under the Harris government, I opposed it very much, because it took away from anyone who sits in the chair as the Speaker of the House the opportunity to rule on when debate had gone along far enough. Sometimes I was happy with the decision of the Speaker, and sometimes I was unhappy with the decision of the Speaker. I understand that. Speakers are like referees. They have to make a decision. I've been unhappy with some decisions the present Speaker in the chair has made from time to time. That doesn't mean I dislike the Speaker; it doesn't mean I'm going to call for his removal or anything of that nature. But that's the nature of it. I respect the fact, however, that whoever sits in the chair is neutral in making those decisions.

What a time allocation rule does is allow a minister to determine how long the debate will be on her or his bill. Of course, a minister always wants to rush legislation through as quickly as possible with as little debate as possible. I may not like what I hear in debate from time to time, but it's important that I hear it. Whether it's from the government side, the third party or some of my own colleagues, I might hear something in this Legislature

that I don't particularly agree with. I still think it's good to air those points of view in the Legislature. That's why I worry all the time when a time allocation motion is put in.

Governments, as I said, have this as one procedure. Many other changes have been made to the procedural rules in this Legislature which really in essence defang the opposition, take away the chips they could play at a table when they're bargaining. That's the way it has happened in the past. When governments wanted to get legislation through, they might concede to have a couple of weeks of hearings, as one instance, or agree to certain amendments, as another instance, so that the bill could go through the House. When you have time allocation, that opportunity for the opposition to modify or slow down or perhaps cause the government to withdraw legislation is virtually gone. So when people out there say, "Why don't you people in the opposition stop the government" from doing something, we cannot do so. Whatever the government wants to do, it's going to do and it's going to get it through the House. I think that's unhealthy, whether it's the Conservative, Liberal, New Democratic or any other party in power.

I also want to talk about how that's part of a pattern with government. I have seen this government make other changes that I think are unhealthy for our democratic system. We have a by-election going on in Vaughan-King-Aurora at the present time. The government of Ontario is advertising. I was listening to AM 740—Margaret probably listens to this channel from time to time.

**Mr John Gerretsen (Kingston and the Islands):** It's a golden oldies station.

**Mr Bradley:** It's an oldies station, I'm told. I was listening to it last night. I was at the graduation ceremonies at Lockview school, and I was trying to make my way back for the final hour of the Legislature, because I had House duty at that time. Now, they went and closed the place down on me. I was deeply disappointed when I walked in and the place was dark. But I turned on the station, and what did I hear? What did I hear when I turned on the station? I heard a government ad.

I wrote a letter to Warren Bailie when he was the chief electoral officer of Ontario. There was an election going on in the riding of Ancaster-Dundas-Flamborough-Aldershot, a four-name riding. The Conservative government of Mike Harris was advertising. Are they allowed to do political advertising as a party within the rules and limitations of the Ontario Elections Act? Certainly. That's certainly acceptable. But it was government advertising, paid for out of David Christopherson's pocket and my pocket and the pockets of members of the government. In other words, everyone in Ontario had to contribute to this government advertising.

So I wrote to him and he wrote back and said, "It doesn't influence me, so it shouldn't influence anyone." I didn't think that was a particularly satisfactory answer, so I wrote to the new chief electoral officer, Mr Hollins,

when the Parry Sound-Muskoka election was on. I thought the government perhaps learned its lesson or, in a pang of conscience, decided it wasn't going to proceed with government advertising. I was wrong. On election day in newspapers across Ontario, there was a major ad—a half-page, a quarter-page or a third of a page depending on which newspaper—saying, "This is what the export division of your government does," and guess where they had chosen the company from? None other than the Parry Sound-Muskoka riding. That was, of course, what I refer to as cheating in an election campaign.

This time we have the government doing the same thing.

*Interjection.*

**Mr Bradley:** Well, if you are breaking the spirit of the law—if the government wants to spend money on Tory ads, there's nothing wrong with that. That's out of their coffers, and heaven knows you people have coffers that are overflowing. This government has raised more money than any federal party has raised, and that's understandable. You have catered your policies and your budgets and your regulatory regime to the wealthiest people in the province. You've had the Red Tape Commission doing the work for those people, going in and saying, "If you have a problem with this Ministry of the Environment regulation, hey, we'll fix it up. We'll get rid of that." If those people don't show up at a fundraiser, I'd be very surprised.

I think that's unhealthy for the system, as I believe time allocation motions are. I hope this chief electoral officer will listen to the ad that's on the radio and say, "Yes, we have the government in effect violating, if not the letter, then certainly the spirit of the election advertising laws in the province of Ontario." Once again, it's always the smart guys in the backrooms who advise the Premier and his people on that. They say, "Hey, we can just push to the edge."

*Interjection.*

**Mr Bradley:** I know my friend from Perth wouldn't do anything like this. But the people in the backrooms of the Premier's office, the whiz kids, the smart people, say, "Hey, I've got a way I figured out to get around this law. Won't this be clever?" Well, it might be clever in a political sense, but it's not healthy for the democratic system.

We have a change in elections now which limits the number of days in the campaign to 28. Who does that benefit most? The party with the most money benefits most from that. That's because those parties which rely on people going door-to-door, which rely on public debate and on getting out and meeting the people in the campaign, have a difficult time doing it in the new and larger ridings within the time limit of 28 days.

They also raised the limit on the amount of money a person, corporation or union may contribute to (a) a political party or (b) a candidate, and they raised the limit on expenditures during an election campaign. In addition to that, and probably far more ominous, they removed a

limit on such things as polling. If you're phoning people to ask them how they're going to vote and then trying to get a lawn sign or perhaps line them up for election day, that is polling, in essence. They've removed that. So the Tories can hire an expensive call centre somewhere and they don't have to show that at all as an expenditure. I don't think that's healthy.

If everybody is playing by the same rules, if it's fair ball out there, I can certainly say you then accept the view of the electorate and that's the way the democratic system functions best. We don't have that in Ontario, because the Harris government has rigged the operations of Ontario—I don't say that in an illegal way; I say slanted or rigged the electoral process in this province—to favour the governing party, in this case a party which caters its policies to the wealthiest and most powerful people in the province, and in great numbers they return the funding to them.

1640

When we reach a situation where we have a time allocation motion or the government employs its other tactics to limit debate, I cannot be in favour of that. Whether our party happens to be in favour of a bill or against a bill, I don't think, on a time allocation motion, that in all good conscience, unless there were some extreme circumstances somewhere, an opposition party could possibly agree to vote for or speak in favour of a time allocation motion.

We've fought too hard for these rules in our Legislature over the years. If we remove that opportunity, what it encourages is extra-parliamentary activity on the part of the MPPs. In other words, the filibuster, as it was called south of the border, or lengthy debate was there to indicate disapproval or to engage people out there in the public in the debate by watching what is happening on television.

The member for then Welland-Thorold, today Niagara Centre, conducted a 17-hour filibuster, I believe it was, against a bill which a Liberal government brought in on no-fault insurance. It annoyed the government House leader of the day, it annoyed some of the government caucus of the day, but it was a way of expressing genuine opposition to it. I know he shares my view that it was unfortunate that when his government was in power they didn't bring in a different kind of insurance, government insurance. I know my friend from Niagara Centre, who is a good friend, fought hard within his caucus for government insurance, and his leader of the day said, "No, you won't have it."

The point I want to make is that no matter how annoying it was, he used the 17 hours to indicate clearly his opposition to a piece of legislation and thereby engendered a rather significant debate in the province over it. I think that was positive. I think that was healthy. I don't think time allocation motions are healthy or positive and I intend to vote against this time allocation motion.

**Ms Shelley Martel (Nickel Belt):** It's not even Wednesday and we're dealing with a time allocation motion.

That's been happening the last four weeks. But here we are again, as the government, on another piece of legislation, wants to shut down debate.

I'm not particularly surprised about this motion here today. There wasn't much of an extensive debate on this bill, in truth. All New Democrat members spoke against Bill 82, the pay bill. There were a few people who participated after that, but I'm not surprised that the government is moving as quickly as they now can to shut down this debate and to get this bill through. We certainly anticipated that would happen when the bill was first introduced.

I want to continue to reiterate my opposition to what the government is doing in this regard. There are three areas I want to focus on.

The first is that I am opposed to the notion of this government off-loading what is a collective responsibility of all of us and, frankly, speaks to the heart of what accountability is all about: to vote for our own pay increases. That is a responsibility that, as legislators, we should assume. That is clearly what accountability is all about. Cabinet, for example, and only cabinet, has the power to deal with pay bills and issues of pay and taxation powers. Now this same government wants to off-load that responsibility for voting for pay to a third party, in this case the Integrity Commissioner, who will have not only the power to determine what our pay is going to be but will set that in place and there will be no vote on that matter in this assembly.

When we put ourselves forward for election and come to this place, we do that on the understanding that day in, day out we will be asked—in fact, expected—by our constituents to vote on matters of public importance, and those votes will cover a broad range of issues that affect all people in the province. Surely part and parcel of the responsibility to do that is also a responsibility to deal with the thorny and very controversial issue of our pay.

I admit, pay increases and dealing with them are very controversial, but that's what we're here to do. We assume responsibility to vote on every other issue. Why won't we assume responsibility to vote on the issue of pay?

I am very opposed to where the government is taking us, which is to a point and a position where we off-load that responsibility to someone else. I assume the government does that so at the end of the day the government can point and say, "It wasn't my decision to have a 30% or 40% or 50% or," if we move to the federal level of pay, "a 70% increase in pay. That was done by the Integrity Commissioner. He put it in place. We had no choice. We had no vote. And that's the end of it."

I regret that the government chooses to move in that way, especially given the government's use of the term "accountability," certainly through the throne speech and then the budget and all through this term. But when it comes to a very critical matter of accountability—that is, MPPs' pay and our voting on that and our being responsible about that and our explaining to our constituents our

vote on that matter—well, the government doesn't want to be accountable any more.

Secondly, I very much oppose—and I said this last week with respect to this debate—that this government is going to add this responsibility to the Integrity Commissioner. That will be the third party who will determine our pay and who will put it into place and who can in fact make that pay retroactive. I want to remind people who are watching this debate that the Integrity Commissioner is an officer of this assembly, and as an officer of this assembly, he is responsible back to MPPs. Further to that, as an officer of the assembly, we, the 103 of us, have the responsibility for determining the terms and conditions of his work as Integrity Commissioner and for determining his pay and benefits and all the other things associated with that position. To my mind, that sets up an incredible opportunity for a perception of conflict of interest. It's that perception of conflict of interest, real or otherwise, that I don't want to be tainted with.

If the government was really interested in at least having an outside party where it could never be said there was a conflict of interest or the perception of it, then that decision should be made by an independent body or an independent individual who has no relationship back to this assembly and no relationship to us as MPPs. We should not be asking an officer of this assembly, whose employment and whose pay is directly related to us, to then make determinations about our pay. That smacks of a conflict of interest. It must be seen by the public to be a conflict of interest, and we should be moving as far away from that perception as we possibly can. The government is wrong to have the Integrity Commissioner be given the responsibility to do just that.

It's probably the first and only time that I will ever make reference to Walter Robinson of the Canadian Taxpayers Federation, but I noted he said the very same, that the Integrity Commissioner should only have a role as adviser. He said, "They are giving a servant of the Legislature the power to make binding spending decisions. That's not right. There is an accountability issue.... It would compromise the integrity of the integrity commission."

I am even more opposed in light of the motion that was just passed in this assembly about two hours ago, and that is the motion to appoint Coulter Osborne as the Integrity Commissioner. I said last night and I'll say it again this afternoon that the process to appoint him was not an open, transparent, public process. It was essentially a deal that was arrived at between the Liberals and the Conservatives to appoint a particular person, and he will now assume this role. There was no reason for us to have had to make the choice of Justice Osborne in that way. I'm not making a comment about Justice Osborne, because I don't know him and I have no reason here today, as I didn't last night, to question his capabilities, his abilities, his integrity etc. But I question the process. In fact, I am opposed to the process that was used to get us to the appointment of him as the Integrity Commissioner.

We could well have gone the route that we have with the selection of the last three officers of this House, namely, the Chief Election Officer, the Ombudsman and the Environmental Commissioner, which was to select an all-party committee with representation from all three parties in this assembly, where there was an open process, where it was advertised publicly that we were seeking candidates, where those candidates had to submit CVs and express their interest in this role, where the committee was charged with the responsibility of shortlisting potential candidates for the jobs, where the shortlisted candidates had to come before the all-party committee and answer questions about what their view of the job was and how they intended to do that job, and where the committee was then seized of making a final selection from among many qualified, capable candidates about who in fact would then finally have that position.

1650

We could have done that in the case of the Integrity Commissioner, and the Liberals and the Tories chose not to go that route. I'm even more concerned now that an individual who was not selected by all of the members of this assembly in an open, transparent, public way is now also the very same individual who is going to deal with our pay. I think that is wrong, and I don't know why the Liberals and the Tories want us to go down this road.

In conclusion, I'll say that the other reason why I oppose Bill 82 and I oppose this motion today which effectively cuts off debate is because the government brings forward a bill which I have no doubt, and I'm sure the 103 of us have no doubt, is going to lead to an increase in pay, against the backdrop of many other people in our society who have not seen an increase in their pay in many years: minimum-wage earners who have been frozen by this government for the last six years; social assistance recipients who had their benefits cut 21% by this government; and people on ODSP who have had their benefits frozen. Against that backdrop the government has nothing to say to these people about what it's going to do for their pay and for their benefits, and I regret that the government didn't do that.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm very pleased to join in the debate with respect to this resolution dealing with Bill 82, which is called the MPP Compensation Reform Act.

We're dealing with an issue that is difficult for the House. Certainly you're looking at different views of what the process is versus what each party has set out. We heard a lot during the process of the federal government when they were dealing with setting what they considered to be transparent and fair compensation for MPs. What they were struggling with was trying to bring about a transparent process that will have a formula so they don't have to deal with the process in the future, because it can become a little bit of a ball to kick around. I think the press actually enjoys it to a great degree, in terms of the issue.

When I was a member on city council in the city of Barrie, there was no increase given to the members

during the time I was there, but the previous council to this one did go through a process in terms of an outside review of what they felt was fair compensation and then they voted on it themselves. They made the determination, despite the hue and cry of the media, of what was fair and transparent for them, but that was a process where they dealt with it. They didn't come up with a future approach, like the federal government did, to deal with the process of fair and transparent compensation.

This legislation is even more hands-off in terms of a third party—an impartial third party, I may add—ensuring that the salary for MPPs, whatever level that may be, is determined by an impartial third party rather than the MPPs themselves. MPPs' salaries will be reviewed by the Integrity Commissioner, who is an independent officer of the assembly—that is the fact. For the member across the way to say there is a blatant conflict of interest I think is a stretch. The conflict of interest, if you want to look at it, is if we're voting on our compensation directly. Arguably that could be viewed as a conflict of interest, but if you don't have any other formula to determine members' compensation, how do you determine it?

What we have here is a process that is transparent, and I would submit it's a process that's fair to MPPs and to taxpayers. Any changes to MPPs' salaries will be public and transparent.

In terms of the federal government and how they determine their formula, tying it to the judiciary, if one wanted to have a leap of faith and have a stretch, one would say, "There must be a conflict of interest there too, because those people they're tying their compensation to will in the future obviously be eyeing their own compensation. They will want to have an increase, so they will increase it for the federal members. Everything will be in order, so the federal government will go along." I don't think that's really the case. I think what they wanted to do at the federal level was to put an end to this. I think there was a lot of nonsense going on in terms of how the issue was being dealt with by the media.

The process we're proposing here is that if the Integrity Commissioner determines a review should be done—that's the initial step; that's the pretext—then he or she would prepare a report containing any salary changes. The report will then be submitted to the Speaker who will table the report in the assembly and have it published in the Ontario Gazette so that the public is aware. If the report calls for any salary change, the new salary will take effect on the day the report is submitted.

When you look at the process currently in the municipal sector where the municipal councillors vote directly on their compensation, when you look at the process in the federal government where the members voted on their compensation but have found a way to anchor it futuristically in a formula so they don't have to do it again, and then you look at what we're trying to do here provincially, which is to have an impartial third party, an independent officer of the assembly, decide it, there is no perception, no basis for saying there's a

conflict of interest for the Integrity Commissioner. That is totally outlandish.

It allows this House to function on what we're here for, and it allows an independent person to focus of what they are to deal with when they feel they should deal with it. It's very clear: it's if the Integrity Commissioner determines a review should be done. There is no time frame, there is no criterion other than it's at their discretion if they decide it should be done. That is the pretext, that is where the independence comes in, and then there is the process we follow next in terms of the role of the Speaker and publishing it to make this process totally transparent.

We're going to hear some other comments with respect to this legislation, but once and for all I think the public expects its members to set up a process that is fair and transparent. I can't think of any other way of doing this and I certainly haven't heard anything different from the members on the NDP side. In fact, they're quite willing to take whatever comes out of this report. At the same time, they don't offer any solution. I think their late leader, the Honourable Bob Rae, said it very clearly, that the process should be independent and keep the members out of it. That was back in 1988. It's 13 years later and perhaps we'll put this issue to rest.

**Mr Gerretsen:** I just want to say a few words about this motion. I want to deal with the time allocation motion, because that's really what we're dealing with here today, not the subject matter at hand. On the subject matter at hand, there can be just as many good arguments to be made for having the Legislative Assembly set the salary, or the Integrity Commissioner. I really don't think we're going to get anywhere by arguing that issue, because I think good arguments can be made on both sides of the issue.

1700

But here we have another time allocation motion. Now, we did a little bit of research as to how often time allocation motions have been used in this House over the last, let's say, 20 years. I think the people of Ontario should understand that time allocation is closure. It's when the government, the majority here, basically says, "We don't want to hear any more; we're going to make a decision." You and I know, Speaker, that traditionally within our parliamentary system of government, time allocation, up until about the 1950s and 1960s and early 1970s, was very, very infrequently used. As a matter of fact, from my childhood I remember one famous election back in the mid-1950s, the famous pipeline debate that took place then, when I think time allocation or closure was invoked and a government in effect lost the confidence of the people as a result of that in the next election. Time allocation, closure—call it what you like—has traditionally been very, very infrequently used. So we did a little bit of research to give you some flavour, Speaker, as to how this current government favours time allocation or closure motions, compared to governments in the past.

The first government that we took a look at was a true Conservative government that was led by compassionate leaders back in the early 1980s, from 1981 to 1985, the Davis-Miller government. Speaker, you would be surprised to know that during the four years that that Parliament sat between 1981 and 1985, time allocations were used a total of three times during the entire four-year period. I'm sure the member for Simcoe North would be interested in that. During that period of time, during that four-year Parliament, there were 292 government bills passed. That basically means that in 289 bills, time allocation was not used, the debate came to an end, a vote was taken and the measure was passed. Three times was time allocation used in a four-year time period.

We then go on to the next government, the Peterson government that sat from May 1985 to September 1987. It passed during that two-year period of minority government—they were supported by the NDP at that time—129 bills. You know how often time allocation was used, Speaker? Once.

**Mr Gilles Bisson (Timmins-James Bay):** Not during the minority Parliament.

**Mr Gerretsen:** Yes, there was one time allocation that was moved. It could very well be, the member for Timmins-James Bay, that it was time-allocated as a result of the consent of all parties. I don't know how it happened, but there was one time allocation motion passed. The research we have done has been very meticulously undertaken.

We go now to the Peterson majority government of 1987 to 1990 when, during a three-year period of time, 183 government bills were passed and time allocation was used on three occasions. So during a 10-year period of time, from 1981 to 1990, time allocation by governments of two different political stripes was used a total of seven times—seven times in 10 years.

Now we go to the Bob Rae government of 1990 to June 1995: 163 government bills were passed during that five-year period of time, and time allocation or closure was used 21 times, so a sevenfold increase. It was used 21 times for 163 government bills.

Now we come to the Harris, the Canadian Alliance, term in office, because these people really aren't Conservatives. I've been telling my people in Kingston and the Islands that for the last five or six years. I tell them, "If you think we've got Conservatives in power here of the Bill Davis-John Robarts mode, you couldn't be further from the truth."

This is not a Conservative government. This is a government that wants to take. Listen to what Dr Schabas said yesterday. These people basically want to do away with our public institutions at all levels, whether we're talking about health care, education, garbage, and you can just go on and on and on. Basically, that's what you're all about.

Anyway, during that first Harris term, from June 1995 to June 1999, 118 bills were passed in a four-year time period, and time allocation or closure, where you shut off debate, was used 41 times. That is roughly a third of the

time during the first term of the Harris government, a third of the time on 118 government bills; 41 times the government said, "We've had enough. Democracy's coming to an end. We're invoking closure on this Parliament and that's the end of it."

Now, in the second Harris term, from June 1999 until June 2001, so over the last two years, there has been a total of 48 government bills passed in two years. By comparison, it's been quite a bit less than what happened with the other governments, and I realize we're only halfway through it. But do you realize how many times time allocation has been used to pass those 48 government bills? Twenty-nine times. More than 50% of the time this government has basically said to the opposition, "We don't want to hear from you people any more. We're going to invoke closure. We are shutting off the democratic process in this province, the parliamentary traditions we all hold so dear, and we're not going to listen to you any more. We're invoking time allocation. We're invoking closure. We don't want to hear any more."

The statistics are quite clear. No matter what time you look at over the last five or six years, this government that has been in power since June 1995 has used time allocation a total of 70 times, more collectively than all the other governments we've had in this province from 1867 to 1995. That will be part of the legacy this Harris government is leaving with the people of Ontario.

But it gets worse than that. Not only is there time allocation, not only has closure been invoked, but I would request and suggest to each member here, take a look at the actual motion. Read the motion. It is the most bizarre, even of time allocation motions, that I have ever seen in my life.

What does it say? It says, "The standing committee on justice and social policy shall be authorized to meet at 9 am on Wednesday, June 27," which is tomorrow morning at 9 o'clock, "for clause-by-clause consideration of the bill." So we meet at 9 o'clock. I will be there as part of the Liberal members on that committee. You would think, with respect to any other bill, there'd be some discussion about it in committee. But do you know what the time allocation motion actually says? It says, "At 9 am"—so the moment we get there and the moment the committee meeting starts, not at 9:10, not at 9:15—"at 9 am on this day, the Chair shall put every question necessary to dispose of this stage of the bill without further debate or amendment." So we're meeting to vote on a bill immediately. There will be absolutely no discussion at all.

Then it goes on to say, "That, the committee shall report this bill to the House not later than June 27, 2001, at the time set out during routine proceedings." In other words, the bill has been referred to committee for about one minute of time at 9 am so it can be reported back to this House in the afternoon.

1710

It is taking even time allocation to its most ridiculous extreme. Not only are we saying, "No, the bill shall be

referred to the committee and then come back," but we're telling the committee exactly what they should do, and if they don't do it—it gets even better. Let me read one other clause. It says if we don't do it, it will be deemed to have been passed.

"In the event that the committee fails to report the bill at that time"—so let's say the committee does not report the bill back to the House tomorrow afternoon at 1:30 during routine proceedings—"the bill shall be deemed to be passed by the committee." I ask you, does that make any sense at all? You're sending it to a committee and what this is saying is that if the committee wants to discuss it or doesn't deal with it, it "shall be deemed to be passed by the committee and shall be deemed to be reported to and received by the House."

I suggest that is an abuse of process. What we have here is abuse of process in that time allocation is being used once again, for I guess the 30th time of this Parliament, for the 71st time since the Harris Tories, the Harris Alliance party has been in power. Not only that, but the time allocation motion itself is so restrictive that in effect it does not allow the committee to do any work on the report at all.

I think that's an abuse of process. The people of Ontario should understand quite clearly what's going on here. As was so ably pointed out by my colleague from St Catharines, we could be talking about so many other meaningful issues here. We could be talking about, for example, the proper funding of the community care access centres, which across this province are running a deficit or have a lack of funds of somewhere between \$2 million to \$3 million to \$4 million apiece.

The government is very cute when it deals with home care services and nursing care services. It's basically saying, "We are giving each of the community care access centres the same amount of money as was budgeted for by them last year." But what they will not tell you is that each one of the community care access centres received, in addition to the budgeted amount last year, anywhere between \$2 million to \$5 million more to deal with the actual needs of the seniors and the people who needed the community care services.

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** Wrong.

**Mr Gerretsen:** The associate minister says it's wrong. Minister, I want you to get up, then, the moment I'm finished or the next time you come around, and tell me that these community care access centres are getting exactly the same money they got last year. We're not talking about budgeted amounts. We are talking about the actual amounts spent last year in those community care access centres to take care of the much-needed home care and nursing and personal care services required.

*Interjection.*

**Mr Gerretsen:** They keep saying it's up 70%. It may be up 70% from five or 10 years ago when home care basically didn't exist in a large part of this province. We all know that people are being released from hospitals quicker and sicker so they can recuperate at home, but

they can only do that if they have the right kind of nursing and personal care and homemaking services available for them.

The minister is basically suggesting that all the CCACs are wrong and all the people who are not getting the care in the various communities are wrong. I'm telling you that they are not wrong. I'm telling you that we are getting more and more calls from people who need the necessary home supports when they are released from hospitals and they are simply not getting them.

We could be talking about that, but no, we're talking about another closure motion dealing with the incompetence of this government.

I strongly suggest that the people of Ontario should understand that we in this province are rapidly losing our democratic traditions. I suggest to this government that if they truly were interested in what the people of this province need and want, they would listen more to the opposition.

**Mr Bisson:** I thought that was a most interesting discourse in this Legislature in regard to talking about where the Liberals are at with this one, because I'm a little bit confused. I remember there was a first reading vote, I remember there was a second reading vote, and I remember on both of those votes the Liberals voted with the government to pass this bill, and in fact not only wanted to pass the bill by voting for it but tried to do everything they could to allow this vote to go through the House without any debate, tried to get it by way of unanimous consent. They were just salivating, hoping that this bill would pass as quickly as possible. So I just think it's passing strange that all of a sudden the Liberals get up—

*Interjection.*

**Mr Bisson:** Oh, yes. This is the point; that's where I'm going. I just think this is awfully interesting: the Liberals are trying to have it both ways. They're trying to pretend, "Oh, we're opposed to the time allocation, because time allocation is a bad thing." I agree. I think we have time-allocated far too many bills, and for another debate I have some suggestions how you get around that, by changing the rules of this Legislature and by changing the rules of how we elect members to a system that's more proportional.

But the thing that I find is just so amazing and has so much moxie and so much gall is that they can stand in this House and make that kind of a speech on this bill. I think it's interesting, because the Liberal Party of Ontario, along with Dalton McGuinty, have tried to do everything they can to pass this bill as quickly as they can with the co-operation of the government. For them to get up now and rail against a time allocation motion—I've got to say, my Lord, that takes a lot of chutzpah, as they say; lots of chutzpah, I've got to say. Wow. We have a saying in northern Ontario and places like Hearst, Cochrane and Kapuskasing: "Quel culot." Quel culot, indeed.

I want to put on the record—

**Mr Wayne Wettlaufer (Kitchener Centre):** On the farm they've got a phrase for that.

**Mr Bisson:** "On the farm they've got a phrase for that." We won't go there.

I have to ask myself a couple of other questions in regard to what's going to happen today. Now, I take it the Liberals—are they going to get up and vote in opposition to the time allocation motion today?

**Mr Gerretsen:** Absolutely.

**Mr Bisson:** Oh, now I'm hearing absolutely, they're going to be voting against the time allocation motion. Wink, wink, nudge, nudge, "Mr Speaker, we're against this time allocation motion. We really don't want to vote for you." Come on. We had to force a divided vote on first reading because you guys tried to rush this thing through. We forced you to vote, at which point you voted with the Tories; then the Liberals get up and do everything they can by asking unanimous consent, by trying to make deals with the government House leader to stop the NDP from opposing this bill. They had their members come over here and swarm us and say, "Come on guys, aren't you with us?" No, we're not. We really aren't.

So now they're going to come in the House today and they're going to vote against the time allocation motion? Man, don't run on the fence, you're going to get hurt. Don't run; walk very softly. You might fall and hurt yourselves.

It's going to be more interesting tomorrow, when this bill goes to committee at 9 o'clock. I want to see what these Liberal members are going to do when this bill ends up at the committee.

**Ms Martel:** On recorded votes.

**Mr Bisson:** On recorded votes are they going to be siding with the NDP, as they say they're going to be doing today, in opposition to what the government is doing? Are they going to oppose the bill at the committee level and do everything they can to support the NDP to stop this bill? Hmm. I think it's going to be interesting what they do.

**Mr Peter Kormos (Niagara Centre):** More steps than Arthur Murray.

**Mr Bisson:** "More steps than Arthur Murray," is one way to put it.

It's really, really interesting how the Liberals can take two positions on the same issue. At least the Tories, I know where you're coming from. You guys want the money. I understand that. It's really simple: "Give me the money, and if I can have it, I'll take it," say the Tories. I understand. No, listen. It's fair enough. I have no argument with the Conservatives. You believe in what you believe in. You got rid of the pensions, and you finally realized six years later, "Oops, that wasn't a very good idea. We've got to find some way to fix that." So now you're coming to the House and you're saying, "How do I make up for now having no pension?" As you realize you're here for a second term, you say, "Oh, if I had a little bit more money on my paycheque, I could buy RRSPs or investments to try to make up what I've lost in

the way of my pension." I understand what you're doing. I don't agree with it, but I respect the conviction that you have in going forward with this particular vote. I don't agree, but I accept—

**Mr Kormos:** In some of their cases, outright convictions.

**Mr Bisson:** My friend says, "In some cases, outright convictions." For sure.

But the point is I understand where the Tories are coming from. You introduced the bill; you voted for the bill on first and second readings. You want it so bad that you—actually, what was funny was how they messed it up after second reading and they didn't know what they were doing, so the minister gets up, and rather than allowing the Speaker to say, "Any further debate?"—"Oh, no, one of us should get up and do something. We don't know what, but what do we do? Let's order it to a committee, committee of the whole." And then they got that wrong. They needed the help of the Speaker to extricate them from that particular problem, so they referred it to another committee.

1720

**Mr Kormos:** That was an extraction.

**Mr Bisson:** An extraction. It was rather bizarre, what happened. I've got to say, though, for the Speaker, I have a bit of a problem on how he handled that because I thought—

**Mr Kormos:** Oh, no, no, no.

**Mr Bisson:** I know you're not supposed to say that—

**Mr Kormos:** No, no, the Speaker did a fine job.

**Mr Bisson:** OK, the Speaker did a fine job, I've been told. OK. All right. I've got it. OK, fine. But the point is, there was an error made on the part of the government and they had to now bring a time allocation motion to fix the mess that they'd created by not allowing the Speaker to get up and say, "Any further debate?" at which point you'd have won your second reading vote and you would have moved on because you had the support of the Liberals—

**Ms Martel:** A day later.

**Mr Bisson:** —a day later, and they wouldn't be in the position they are now.

So now we're in a position where today we're going to see the Liberals vote two ways on the same bill, supposedly. They tell us they're going to vote against time allocation. Tomorrow they're going to go to committee at 9 o'clock. It's going to be interesting to see. I know my good friend Peter Kormos is going to be there and he's going to make sure they're all recorded votes, and I'm going to be very interested to see how the Liberals vote tomorrow morning at committee. Then, when it finally comes back to the House, it's going to be interesting to see how they vote.

But I want the voters to know there is only one caucus who have been consistent in opposition to this bill, and that is the NDP caucus who have been consistent in saying it is not right to do this, for two reasons. One, I don't have a problem with trying to get an outside opinion about what the salary of an MPP should be. I support

that. I haven't got a problem with that issue, be it the Integrity Commissioner or anybody else. The problem I have is, I think it's incumbent upon us to then vote on the recommendation. I don't think it's right for us to all of a sudden say, "Hang on a second. How much is the Integrity Commissioner going to give us: 30%, 50%, 70%?" and then accept whatever he says. I don't think that's right. I think it's incumbent upon us as members to stand on our feet and vote either for or against a particular bill.

The second point is that I really have a difficulty in light of what's happened across the province: no increases in minimum wage. It hasn't happened under your government; it happened under ours. There's been a decrease for people on social services. There have been no real increases to the public service, other than the lawyers, who got 30%. It seems to me that you like lawyers and you like doctors, because they all got good raises, but everybody else didn't. And the private sector hasn't done so well. So I have a bit of a problem with where you're going on that one.

The other thing I've got to wonder, because the Liberals goaded me this way: I remember Dalton McGuinty getting up and saying, "I think 2% is fair."

**Mr Gerretsen:** That's right.

**Mr Bisson:** I just hear now the member for Kingston and the Islands say, "That's right." Does that mean to say that if there's a recommendation that comes up above 2%, the Liberals are not going to accept anything after 2% or 3%? Is that what I'm hearing the position to be?

*Interjection.*

**Mr Bisson:** "Oh, no," he says. Well, why is Dalton saying it? Be consistent. Either you're for or you're against this particular idea. You can't have it both ways and then say, "I think 2% would be fair. Oh yeah, I think it would be fair." We all know the Integrity Commissioner is going to come back with more than 2%.

**Mr Gerretsen:** How do you know that?

**Mr Bisson:** Because any time this issue's been referred out—last time it was 40%. We wouldn't be passing this bill. The point is, why do I know the Integrity Commissioner's going to come back? This bill would not be debated in regards to the Integrity Commissioner if it wasn't the case. So to the Liberal caucus, those who run to the fence and are on two different sides at the same time, does this now mean to say that if you get more than 2% or 3%, as recommended by Dalton McGuinty, you're not going to accept anything past that?

**Mrs Julia Munro (York North):** Mr Speaker, I'm pleased to rise on this motion that we have before us today. I think it's important to concentrate on two particular processes that we're looking at in this debate.

The first one is obviously dealing with the time allocation. A few moments ago we heard some ideas presented by other members with regard to the allocation process. I think it's important to set the record straight when we talk about time allocation, recognizing first of all that in 1992 the NDP government changed the standing orders to establish a procedure for the use of

time allocation motions. In the two and a half years following the change to the standing orders, the NDP used time allocation 16 times.

Time allocation has been used in accordance with our standing orders to ensure the speedy and efficient passage of legislation through both the debate process and the committee process.

I think it's important to recognize the importance of being able to establish the kind of time limits that have been done. We have used time allocation motions in accordance with the standing orders 62 times since 1995, which is rather interesting when it's compared to the federal government, where the Liberals have used time allocation motions at least 70 times. When we look at the reason that we're here, which is to debate and pass legislation, we can look at the 169 bills that have become law since 1995, and about a third of those have been passed using time allocation. But that also has to be set in the context of the time that is spent. In the 36th Parliament, which is 1995 to 1999, we sat for 443 sessional days. We passed 118 bills using 35 time allocation motions, which of course works out to be just under 30%.

When we compare this to the previous records, the NDP sat for only a total of 385 days in the 35th Parliament, that is, the time between 1990 and 1995. During that period of time, the NDP passed 163 bills, using time allocation 18 times, approximately 11%. The Liberals sat in total for 297 days in the 33rd Parliament and 230 days in the 34th Parliament. The Liberals passed 312 bills in total and used time allocation only four times. During the 36th Parliament, that is, 1995 to 1999, we sat for 2,353 hours.

When you look at some of these statistics, you can see that time allocation, then, has been used with care. When you look at the number of hours that we have sat, when you look at the number of sessional days, when you look at the number of bills that have been passed, you can see that this process has been used carefully and judiciously.

If you look at standing order 46(a), it states, "The government House leader may move a motion with notice providing for the allocation of time to any proceeding on a government bill or substantive government motion." This is what this motion does for the subsequent stages of Bill 82. The intent of the motion is clear and is worded in such a manner that notwithstanding any other standing orders or special orders relating to Bill 82, the order laid out in the motion takes precedence.

The motion being presented here today is similar in scope to other motions considered and passed previously in this House. It was in order then, and we trust it is still in order today.

**Mr Kormos:** This is the most peculiar of time allocation motions and it's entirely inappropriate to suggest that it's consistent with any other. First of all, the vast majority of time allocation motions are brought when there is, oh, some failure to get second reading achieved in a timely manner. Well, remarkable, because the only people standing up and speaking to this bill were

New Democrats, other than the modest leadoff speeches of 10, 15, 16 minutes by the government and by the official opposition. The respective members of the government and official opposition stood mute but for the two-minute questions and answers, where they participated, but oh so occasionally and irregularly. It was New Democrats who spoke to the bill, in opposition to Bill 82, and Bill 82 passed second reading.

1730

It's incredible that there would be a time allocation motion when the bill passed second reading. There's no argument to be made. It's impossible to argue that it was delayed in the course of second reading. How could it be delayed? It passed second reading. It was the government who stood up in the Legislature. We were all here. The government said, "Send the bill to the justice committee." The government was given a chance, because the Speaker was being excessively cautious, as Speakers are wont to be; I never met a reckless Speaker. The Speaker for all intents and purposes said, "Are you sure?" It was like one of those TV game shows where you pick that curtain or that curtain or that curtain and Bob Barker says, "Whoa, are you sure?" It was like Regis Philbin on that TV show, where you answer a question and Regis says, "Now, are you sure?"

The Speaker said, "Are you sure?" The government said, "We want this bill to go to the justice committee," and I said, "So be it," because the justice committee sits on Monday and Tuesday. On Friday of last week, I wrote a letter to the Chair of the justice committee and prevailed upon the Chair to call a subcommittee as promptly as possible so that we could start to organize the committee process for Monday and Tuesday. I indicated in that correspondence that I was sure that public hearings would be contemplated by the committee and indicated, or at least suggested, the prospect of there being amendments put forward that would be entertained or could be entertained by the committee.

Amendments to what effect? Amendments to the effect that maybe the salary increase determined by the Integrity Commissioner ought not to kick in until after the next election. You heard from New Democrats that proposition, that that would add an element of fairness; the proposition that by way of amendment, maybe the Integrity Commissioner shouldn't sit alone in judgment, that maybe there ought to be a panel of people, of citizenry. Heck, if you want the Integrity Commissioner to set your salary, why not a senior citizen, a retiree? Why not a teacher? Why not a nurse? Why not a student? Why not a mother on a social assistance allowance? Why not a disabled person, a person with disabilities whose allowance hasn't increased in six years now?

I find it remarkable and very disturbing. I don't know what the appropriate salary is. People work hard here; I acknowledge that. But a whole lot of people work hard in a whole lot of other places. Tell a working mum who works one or two or sometimes three jobs and then still takes care of her kids and her household, that she doesn't work hard, that we somehow work harder than she does.

Please, the incredible speed and haste with which this bill has been accelerated through this Legislature is truly remarkable, and New Democrats have done everything we could to slow it down. We've witnessed a collaborative effort on the part of the government and the Liberal Party to accelerate the speed with which this is rammed through. I understand the arguments being advanced by the supporters of the bill but, my goodness, the accelerated pace at which this bill is being rammed through, not a single voice in support from the other opposition party to the New Democrats' efforts to slow this down.

Yes, I'll be at the committee tomorrow, you see, because this refers the bill to a committee, but it's not really a committee because the committee meets at 9 o'clock and, bingo, every question is put, not a second of debate. Not a single amendment is permitted. Then it's returned to the House the same day, deemed to be reported and put forward for third reading. Again not a second, not one nanosecond of debate is going to be permitted.

Please, friends, when will we show or demonstrate such zeal when it comes to increasing the minimum wage of the poorest people in this province, the poorest workers? Why can't we demonstrate the same enthusiasm when it comes to increasing the disability pensions of persons with disabilities? Why can't we accelerate legislation through this House that addresses the 22% cut in social assistance rates for women and kids on welfare, whose rates were cut six years ago and who haven't seen a penny in increase, notwithstanding those arguments of cost of living and inflation? Please, nobody here is bothering to apply those arguments to people on social assistance or disability pensions or to minimum wage workers, the numbers of which are growing in this province.

Shame. Quite frankly, shame on all of us, not because there's an interest in MPPs' salaries but because there's no interest in the welfare and the income of so many other good, hard-working, dedicated people. Shame on all of us, not because we dare to consider a scheme that would set MPPs' salaries—New Democrats are opposed to the bill and New Democrats have a variety of reasons that have been expressed by the members of this caucus. Some of those reasons—the one I adhere to is no, it's an abdication of responsibility to delegate that out. I accept the fact that we can receive counsel on what an appropriate salary will be, but at the end of the day I believe that since we have the power to set our salaries, we have the obligation to do that, just like we have the power to determine the minimum wage in this province, which has stagnated at \$6.85 an hour for over six years now, and just like we have the power to improve the lot of persons with disabilities who live on subpoverty incomes and who continue to live and struggle and barely survive on subpoverty incomes without even the acknowledgement of an Ontarians with Disabilities Act.

To hear members of the opposition say, "Oh, we're going to oppose the time allocation," when they were as

much a party and as much a sponsor of the speeded acceleration of this bill through this Legislature as the government was, I find particularly upsetting. I will be at the committee on behalf of New Democrats tomorrow morning. I will be calling for recorded votes. I will be looking to my Liberal counterparts on that committee to join me in those recorded votes to demonstrate their opposition to this bill, not to the substance of the bill but to the fact that the bill has been sped through this place so quickly and with such enthusiasm and zeal. Conflict of interest? What a display of conflict of interest when you can ram a bill through in such short order with such a despicable time allocation motion but you ignore the poorest and, yes, the hardest-working and the ones who deserve our attention.

**Mr Garfield Dunlop (Simcoe North):** I'm pleased to take part today in the debate on Bill 82, An Act to amend the Legislative Assembly Act to establish an arm's length process to determine members' compensation.

I'd like to start off by thanking my colleagues the members for Northumberland, Barrie-Simcoe-Bradford and York North for their comments, as well as the New Democrats who have made some very colourful remarks this afternoon.

This proposed legislation would ensure that in future years salaries paid to members of this assembly will be determined by an impartial third party: Ontario's Integrity Commissioner.

1740

The process is that if the Integrity Commissioner determines a review should be done of MPPs' salaries, then he or she will prepare a report containing the salary changes. The report will be submitted to the Speaker, who will table the report in the assembly and have it published in the Ontario Gazette.

If the report calls for a salary change, the new salary will take effect on the day the report is submitted. This process will ensure that any changes in MPPs' salaries will now be public and transparent, if this bill does in fact pass. The process will be fair to MPPs and, more importantly, fair to the taxpayers of our province.

As most members know, the Integrity Commissioner is widely regarded as the most independent of all the officers of our assembly. The Integrity Commissioner understands the role of MPPs and, when requested, provides advice on how members should conduct themselves in order to avoid any conflict of interest.

I've been so pleased, over my first two years here, to work with Commissioner Rutherford. I found him a very honourable person, and I felt he did a great job as Integrity Commissioner.

Many of my constituents were shocked and appalled at the way our federal counterparts increased their salaries just a couple of weeks ago. I remember seeing headline after headline in the area denouncing the way the federal government put their increases through. Clearly the public feels there is a conflict of interest when politicians set their own salaries. I believe this bill will end that conflict for Ontario MPPs once and for all.

I know this point has been brought up before, but I feel it is important to remind everyone in this House that it was under the leadership of this government that we eliminated what were considered the gold-plated pension plan and tax-free allowances that would have been basically illegal in the private sector. In 1996, our government eliminated these hidden allowances and cut MPPs' compensation.

We did that for a reason: we inherited a disaster and we had to set an example. I think the Harris government and Premier Harris set some great rules when he eliminated the pension and cut salaries at that time. He did not want to see any increases occur until the books were balanced. As you know, we have now balanced the books three years in a row—the first government in almost 100 years to have done that.

This new bill will ensure that any future changes are made by an impartial third party rather than by ourselves, MPPs elected to this House.

In 1980, I ran for public office for the first time as a councillor in my hometown village of Coldwater. There were about 1,200 people in that municipality, and for the next 12 years, from 1982 to 1994, I was the reeve of that particular community, and right through to 1999 as a member of the county of Simcoe and also as the deputy mayor of the township of Severn. I have to tell you that every time the salaries of council members—the reeve, the warden, county councillors—were discussed, it was embarrassing. It was very difficult for members to look at their own salary increases. At that point, I for one would have liked to see an independent body establish and maybe report what we actually deserved. I know we didn't earn a lot of money, and in a lot of cases we did it for the benefit of the communities we lived in. I certainly enjoyed doing that, but we did have costs and expenses. Even today there are a lot of municipal council members who don't earn a lot of money, and I know how difficult it is for those people to actually discuss their own salaries.

There has been a lot of talk during this debate about salary increases: how much should we get, how much do we deserve, how much is going to be handed out, should it be based on MPs' salaries, should it be based on what the public service is offered? Like many of us here in this House, I didn't enter public life to get a better compensation package. I knew exactly what I was to earn when I ran. I checked into that. But I do understand that a lot of people have made a lot of sacrifices in their personal lives to be here, and I commend them for that.

This bill is about changing the process that compensation is based on—raising their own packages—to a system where a truly independent person can decide instead.

I would urge all members to support this bill, and I would ask them to support the time allocation as well. The bill is an important step in making the decisions on members' compensation packages fair and more independent compared to the current process where we decide our own packages. I feel very uncomfortable

about deciding my own pay increase in the future. I understand it's difficult for most people in this House.

Based on that, I'd like to wrap up by saying that I support this piece of legislation and I support the time allocation. It's a pleasure, Mr Speaker, to be able to say a few words this afternoon.

**The Deputy Speaker:** Mr Young has moved government notice of motion number 45. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1747 to 1757.*

**The Deputy Speaker:** All those in favour will stand one at a time and be recognized by the Clerk.

#### Ayes

Amott, Ted	Hardeman, Ernie	Mushinski, Marilyn
Baird, John R.	Hastings, John	Newman, Dan
Barrett, Toby	Hodgson, Chris	O'Toole, John
Beaubien, Marcel	Hudak, Tim	Ouellette, Jerry J.
Chudleigh, Ted	Jackson, Cameron	Runciman, Robert W.
Clark, Brad	Johns, Helen	Sampson, Rob
Clement, Tony	Johnson, Bert	Snobelen, John
Cunningham, Dianne	Kells, Morley	Spina, Joseph
DeFaria, Carl	Marland, Margaret	Sterling, Norman W.
Dunlop, Garfield	Martiniuk, Gerry	Stewart, R. Gary
Ecker, Janet	Maves, Bart	Tascona, Joseph N.
Flaherty, Jim	Mazzilli, Frank	Tilson, David
Galt, Doug	Miller, Norm	Tsubouchi, David H.
Gilchrist, Steve	Molinari, Tina R.	Tumbull, David
Gill, Raminder	Munro, Julia	Wettlaufer, Wayne
Guzzo, Garry J.	Murdoch, Bill	Young, David

**The Deputy Speaker:** All those opposed will rise one at a time and be recognized by the Clerk.

#### Nays

Agostino, Dominic	Dombrowsky, Leona	Martin, Tony
Bartolucci, Rick	Duncan, Dwight	McLeod, Lyn
Bisson, Gilles	Gerretsen, John	McMeekin, Ted
Boyer, Claudette	Hampton, Howard	Phillips, Gerry
Bradley, James J.	Kennedy, Gerard	Ramsay, David
Bryant, Michael	Kormos, Peter	Ruprecht, Tony
Christopherson, David	Kwinter, Monte	Smitherman, George
Cleary, John C.	Marchese, Rosario	
Di Cocco, Caroline	Martel, Shelley	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 48; the nays are 25.

**The Deputy Speaker:** I declare the motion carried.

#### ADJOURNMENT DEBATE

**The Deputy Speaker (Mr Michael A. Brown):** Pursuant to standing order 37, the question that this House now adjourn is deemed to have been made. The member for Hamilton East has given notice of his dissatisfaction with an answer to a question given by the Minister of Health. The member has up to five minutes to make his presentation.

#### HOME CARE

**Mr Dominic Agostino (Hamilton East):** I'm pleased to rise on this late show tonight as a result of the fact that the minister today failed to answer a question in regard to the situation with home care in Hamilton.

To put it in perspective, this government ordered a review of the situation with the CCAC, the organization that provides home care for seniors, the disabled and residents of Hamilton who need home care. This government received this report in the first week of April of this year. This government released a report today, some two and a half months, almost three months, later, and the excuse has been, "We're studying this. We're looking at it. We're putting together an action plan. We want to address the needs that this report has identified."

So what do we get as a result of this study, this looking into it, this process of identifying the problem and dealing with it? We get this government simply doing what it always does best: pointing the finger. "It's someone else's fault. We're going to fire them." All of this studying and consultation, reviewing and fixing the problem, all it led to was simply saying, "We're going to fire the board." This is a board appointed by this government, a board that has been working since 1997 without any clear directions from the government, without any clear standards, without any clear guidelines across Ontario. Let me predict today that what happened to the CCAC in Hamilton is going to be repeated time and time again across the province.

We saw the report released two weeks ago, commissioned by this government, that clearly spoke of the funding problem, that clearly spoke of a lack of guidelines, that clearly asked the government to fix this problem, not to simply fire boards. Granted, there were problems with the running of the operation in Hamilton, but this move today does not do anything to help this. It is not going to mean any help for the more than 600 people who are currently waiting for home care in Hamilton. It's not going to mean any higher level of care for the folks who are not getting adequate care in Hamilton.

Let's go back and look at it. We have 650 people on a waiting list. The reason that waiting list is there is because this government has underfunded home care in the city of Hamilton.

**Mr John Gerretsen (Kingston and the Islands):** Everywhere.

**Mr Agostino:** Across the province, as my colleague from Kingston said. It should be no surprise that we had those difficulties. There was a report prepared by the CCAC in September 2000 warning the government of the fact that it can't keep up with the demand that is there, on the morale problems because of wage disparities that are occurring, of the lack of standards, the lack of guidelines and the lack of acceptable province-wide assessments of how to deal with clients. They were warned about this and what have they done? Absolutely nothing. They fail to understand, particularly in our situation in Hamilton

as across Ontario, that 66% of the clients are seniors and over 2,000 individuals are over the age of 85. That is a hard-to-serve clientele group that needs a lot of time, care and attention from home care in Hamilton, attention they're not getting because this government frankly has failed to live up to its commitment.

When they first started in Hamilton in 1997, they were servicing 17,822 people. By last year that number had swollen to 27,033. When you compare the increase in the number of people they're serving and the increase in the money, there's a gap of 32%. That means that since the CCACs were formed in Hamilton to deal with home care, there's 32% less funding based on the number of clients we have.

If this government is serious about fixing this problem, it has to invest an adequate amount of money to deal with the situation in Hamilton and across Ontario. It has to ensure there are guidelines for boards. It has to ensure that boards are given clear standards across Ontario. Instead, it has simply said to these volunteers who work hard trying to solve a problem, "You're gone," just like they did to the hospital board. Remember, they came in and they fired the Hamilton Health Sciences Corp board. They fired the administrator. Months later, they bailed them out. They came clean and acknowledged they had made a mistake, and there was vindication for the board and the administration. The same thing will happen here. The same thing's going to happen across Ontario.

Folks, you should be aware of what the government's agenda is with this. They're going to do this in Hamilton. They're going to do it in Ottawa, in Toronto, in Kingston, in Sudbury, in Thunder Bay. Everywhere across the province where we have problems because of a lack of funding from the provincial government, let me tell you, they're going to turn around and blame the board. They're going to fire boards, they're going to fire administrations, and then they're going to come out a year later and acknowledge they were wrong, but unfortunately it does not help one single additional client get the care level needed. It is disgusting. What they have done is disgraceful.

**The Deputy Speaker (Mr Michael A. Brown):** The parliamentary assistant?

**Mr Bart Maves (Niagara Falls):** We have a vernacular in this House where we say that someone has given someone a lob ball question. Most of the time a lob ball question comes from a government member to a minister of the government. It is quite remarkable that in this instance the member for Hamilton East has asked a lob ball question to the Minister of Health.

On June 19 in this very Legislature, this very same member from Hamilton East said to the Minister of Health, "You've had a report you've been sitting on since April.... You've hidden this report from the public; you have failed to act."

"The report clearly has a number of recommendations that are marked 'urgent'....

"...you have been irresponsible in not acting.

"Will you commit today to release the report and take the necessary steps to deal with the situation and fix the situation...?"

**Hon Tim Hudak (Minister of Tourism, Culture and Recreation):** That was April.

**Mr Maves:** No, that was June 19; that was only seven days ago. Today, after the minister releases the report, as the member asked him to do, and after the minister takes steps to fix the situation, as the member asked him to do, this member gets up in the Legislature and complains that indeed the minister released the report and decided to step in and fix the situation.

Here is the operational review on the Hamilton-Wentworth Community Care Access Centre. I want to quote a few pieces from this review, from the executive summary.

"The Hamilton-Wentworth Community Care Access Centre ... is an organization experiencing considerable difficulty in its attempt to fulfill its mandate ... the effectiveness of the organization has deteriorated in its three years of existence....

"2. The board, as investigated and stated in this report, is generally naive about its public accountability, arrogant in its modus operandi, largely oblivious to the need for proactive communications with its primary stakeholders, and lax in not acting more quickly on a worsening fiscal crisis when it confesses to have known about its own service delivery deficiencies.

"3. The board provided inadequate strategic direction and leadership, was ineffective in communicating with stakeholders including its staff, failed to ensure accountability and transparency in its operation....

"4. A CCAC is a big business but the HWCCAC has a critical shortage of people with business skills or experience among both the board and senior management....

"7. There is no effective monitoring or management of service utilization and caseload, the greatest drivers of CCAC costs....

"8. The system for assessing which clients should be the highest priority for services is inadequate."

The operational review goes on and calls for the outright board renewal.

What does the minister do? The minister does the responsible thing. He lets the board know. He signals his intention to send in a supervisor to assume control of the Hamilton-Wentworth CCAC. Why? Because the report called for it and it was very obvious to anybody who looked at that CCAC, to anybody who read the operational review, that indeed he should send in a supervisor. And I repeat, it is what the member opposite asked for one week ago.

This Hamilton-Wentworth CCAC has had a budget increase of \$35 million in 1995 to \$53 million in the year 2000. The minister now, after doing his due diligence, after doing an operational review, has decided to act on the review; not leaving it on the shelf and doing nothing. He is acting on the review. He is protecting taxpayers' dollars. You don't leave \$53 million in the hands of a

board and senior staff when a report like this lands on your desk.

He is protecting Hamiltonian taxpayers' dollars. He is protecting the people of Hamilton who really need those services, who can't put up with waste because they need every scarce dollar there is out there in the health care sector. They need to put every dollar into care, into patient care, and that's why the minister is acting today and that's what the minister is doing.

Quite frankly, the member for Hamilton East should stick to where he was on this issue last week, and then support the minister for protecting taxpayers' dollars and protecting the seniors of Hamilton East.

**The Deputy Speaker:** There being no further matter to debate, I deem the motion to adjourn to have carried. This House stands adjourned until 6:45 of the clock.

*The House adjourned at 1810.*

*Evening meeting reported in volume B.*

**LEGISLATIVE ASSEMBLY OF ONTARIO  
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenante-gouverneure: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Halton	Chudleigh, Ted (PC)
Ancaster-Dundas-	McMeekin, Ted (L)	Hamilton East / -Est	Agostino, Dominic (L)
Flamborough-Aldershot		Hamilton Mountain	Bountrogianni, Marie (L)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Hamilton West / -Ouest	Christopherson, David (ND)
Beaches-East York	Lankin, Frances (ND)	Hastings-Frontenac-	Dombrowsky, Leona (L)
Bramalea-Gore-Malton-	Gill, Raminder (PC)	Lennox and Addington	
Springdale		Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister without Portfolio (Health and Long-Term Care) / ministre sans portefeuille (Santé et Soins de longue durée)
Brampton Centre / -Centre	Spina, Joseph (PC)		
Brampton West-Mississauga /	<b>Clement, Hon / L'hon Tony</b> (PC)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Brampton-Ouest-Mississauga	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée		
Brant	Levac, Dave (L)	Kingston and the Islands /	Gerretsen, John (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kingston et les îles	
Burlington	<b>Jackson, Hon / L'hon Cameron</b> (PC) Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées	Kitchener Centre / -Centre	Wetlaufer, Wayne (PC)
		Kitchener-Waterloo	<b>Witmer, Hon / L'hon Elizabeth</b> (PC) Minister of the Environment / ministre de l'Environnement
Cambridge	Martiniuk, Gerry (PC)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Chatham-Kent Essex	Hoy, Pat (L)	Lanark-Carleton	<b>Sterling, Hon / L'hon Norman W.</b> (PC) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises
Davenport	Ruprecht, Tony (L)		
Don Valley East / -Est	Caplan, David (L)	Leeds-Grenville	<b>Runciman, Hon / L'hon Robert W.</b> (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Don Valley West / -Ouest	<b>Turnbull, Hon / L'hon David</b> (PC) Solicitor General / solliciteur général		
Dufferin-Peel-	Tilson, David (PC)	London North Centre /	<b>Cunningham, Hon / L'hon Dianne</b> (PC) Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Wellington-Grey		London-Centre-Nord	Wood, Bob (PC)
Durham	O'Toole, John R. (PC)		Mazzilli, Frank (PC)
Eglinton-Lawrence	Colle, Mike (L)	London West / -Ouest	<b>Tsubouchi, Hon / L'hon David H.</b> (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement
Elgin-Middlesex-London	Peters, Steve (L)	London-Fanshawe	
Erie-Lincoln	<b>Hudak, Hon / L'hon Tim</b> (PC) Minister of Tourism, Culture and Recreation / ministre du Tourisme, de la Culture et des Loisirs	Markham	<b>Sampson, Hon / L'hon Rob</b> (PC) Minister of Correctional Services / ministre des Services correctionnels
Essex	Crozier, Bruce (L)	Mississauga Centre / -Centre	DeFaria, Carl (PC)
Etobicoke Centre / -Centre	<b>Stockwell, Hon / L'hon Chris</b> (PC) Minister of Labour / ministre du Travail	Mississauga East / -Est	Marland, Margaret (PC)
		Mississauga South / -Sud	<b>Snobelen, Hon / L'hon John</b> (PC) Minister of Natural Resources / ministre des Richesses naturelles
Etobicoke North / -Nord	Hastings, John (PC)	Mississauga West / -Ouest	
Etobicoke-Lakeshore	Kells, Morley (PC)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)		
Guelph-Wellington	<b>Elliott, Hon / L'hon Brenda</b> (PC) Minister of Intergovernmental Affairs / ministre des Affaires intergouvernementales		
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	<b>Hodgson, Hon / L'hon Chris</b> (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Nepean-Carleton	<b>Baird, Hon / L'hon John R.</b> (PC) Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué au dossier de l'Enfance, ministre délégué aux Affaires francophones	Scarborough East / -Est	Gilchrist, Steve (PC)
Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough Southwest / -Sud-Ouest	<b>Newman, Hon / L'hon Dan</b> (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Niagara Falls	Maves, Bart (PC)	Scarborough-Agincourt	Phillips, Gerry (L)
Nickel Belt	Martel, Shelley (ND)	Scarborough-Rouge River	Curling, Alvin (L)
Nipissing	<b>Harris, Hon / L'hon Michael D.</b> (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	Simcoe North / -Nord	Dunlop, Garfield (PC)
Northumberland	Galt, Doug (PC)	Simcoe-Grey	<b>Wilson, Hon / L'hon Jim</b> (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Oak Ridges	<b>Klees, Hon / L'hon Frank</b> (PC) Minister without Portfolio, chief government whip, deputy government House leader / ministre sans portefeuille, whip en chef du gouvernement, leader parlementaire adjoint	St Catharines	Bradley, James J. (L)
Oakville	<b>Carr, Hon / L'hon Gary</b> (PC) Speaker / Président	St Paul's	Bryant, Michael (L)
Oshawa	Ouellette, Jerry J. (PC)	Stoney Creek	<b>Clark, Hon / L'hon Brad</b> (PC) Minister of Transportation / ministre des Transports
Ottawa Centre / -Centre	Patten, Richard (L)	Stormont-Dundas-Charlottenburgh	Cleary, John C. (L)
Ottawa-Orléans	<b>Coburn, Hon / L'hon Brian</b> (PC) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales	Sudbury	Bartolucci, Rick (L)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Thornhill	Molinari, Tina R. (PC)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Thunder Bay-Atikokan	McLeod, Lyn (L)
Ottawa-Vanier	Boyer, Claudette (Ind)	Thunder Bay-Superior North / -Nord	Gravelle, Michael (L)
Oxford	Hardeman, Ernie (PC)	Timiskaming-Cochrane	Ramsay, David (L)
Parkdale-High Park	Kennedy, Gerard (L)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Parry Sound-Muskoka	Miller, Norm (PC)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Perth-Middlesex	Johnson, Bert (PC)	Toronto-Danforth	Churley, Marilyn (ND)
Peterborough	Stewart, R. Gary (PC)	Trinity-Spadina	Marchese, Rosario (ND)
Pickering-Ajax-Uxbridge	<b>Ecker, Hon / L'hon Janet</b> (PC) Minister of Education, government House leader / ministre de l'Éducation, leader parlementaire du gouvernement	Waterloo-Wellington	Arnott, Ted (PC)
Prince Edward-Hastings	Parsons, Ernie (L)	Whitby-Ajax	<b>Flaherty, Hon / L'hon Jim</b> (PC) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Renfrew-Nipissing-Pembroke	Conway, Sean G. (L)	Willowdale	<b>Young, Hon / L'hon David</b> (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sarnia-Lambton	Di Cocco, Caroline (L)	Windsor West / -Ouest	Pupatello, Sandra (L)
Sault Ste Marie	Martin, Tony (ND)	Windsor-St Clair	Duncan, Dwight (L)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)	York Centre / -Centre	Kwinter, Monte (L)
		York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)
		Vaughan-King-Aurora	Vacant

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

## TABLE DES MATIÈRES

Mardi 26 juin 2001

### PREMIÈRE LECTURE

<b>Loi de 2001 sur le réacheminement des déchets,</b> projet de loi 90, <i>M<sup>me</sup> Witmer</i> Adoptée .....	1882
<b>Loi de 2001 modifiant la Loi de l'impôt sur le revenu (crédit d'impôt au titre de l'adoption internationale),</b> projet de loi 91, <i>M. Cordiano</i> Adoptée .....	1882
<b>Loi de 2001 sur la Semaine de sensibilisation à la motocyclette,</b> projet de loi 92, <i>M. Stewart</i> Adoptée .....	1883

### TROISIÈME LECTURE

<b>Loi de 2001 modifiant des lois en ce qui a trait à la fonction publique,</b> projet de loi 25, <i>M. Tsubouchi</i> Adoptée .....	1887
---	------

### DEUXIÈME LECTURE

<b>Loi de 2001 sur l'efficience du gouvernement,</b> projet de loi 57, <i>M. Sterling</i> Adoptée .....	1887
---	------

# CONTENTS

Tuesday 26 June 2001

## MEMBERS' STATEMENTS

<b>Education funding</b>	
Mr Patten.....	1879
<b>Papal visit to Ukraine</b>	
Mr Gill.....	1879
<b>Remarks by Mayor Lastman</b>	
Mr Curling.....	1879
<b>Community care access centres</b>	
Mr Kormos.....	1880
<b>Ermelindo Agostini</b>	
Mrs Molinari.....	1880
<b>Children with special needs</b>	
Mr Kennedy.....	1880
<b>School bus operators</b>	
Mr O'Toole.....	1880
<b>By-election in Vaughan-King-Aurora</b>	
Mr Bradley.....	1881
<b>Events in Haldimand-Norfolk-Brant</b>	
Mr Barrett.....	1881

## REPORTS BY COMMITTEES

<b>Standing committee on general government</b>	
Mr Gilchrist.....	1882
Report adopted.....	1882
<b>Standing committee on justice and social policy</b>	
Mr Barrett.....	1882
Report adopted.....	1882

## FIRST READINGS

<b>Waste Diversion Act, 2001,</b>	
Bill 90, <i>Mrs Witmer</i>	
Agreed to.....	1882
Mrs Witmer.....	1882
<b>Income Tax Amendment Act (Intercountry Adoption Tax Credit), 2001, Bill 91,</b>	
<i>Mr Cordiano</i>	
Agreed to.....	1882
Mr Cordiano.....	1882
<b>Sioux Lookout Meno-Ya-Win Health Centre Act, 2001,</b>	
Bill Pr15, <i>Mr Hampton</i>	
Agreed to.....	1882
<b>Motorcycle Awareness Week Act, 2001, Bill 92, Mr Stewart</b>	
Agreed to.....	1883
Mr Stewart.....	1883

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>Government accountability</b>	
Mr Harris.....	1883
Mr McGuinty.....	1885
Mr Hampton.....	1885

## THIRD READINGS

<b>Public Service Statute Law Amendment Act, 2001, Bill 25,</b>	
<i>Mr Tsubouchi</i>	
Agreed to.....	1887

## SECOND READINGS

<b>Government Efficiency Act, 2001,</b>	
Bill 57, <i>Mr Sterling</i>	
Agreed to.....	1887

## ORAL QUESTIONS

<b>Walkerton tragedy</b>	
Mr McGuinty.....	1888
Mr Harris.....	1888, 1890, 1894
Mr Hampton.....	1889
Mr Bradley.....	1894
<b>Ippervash Provincial Park</b>	
Mr Hampton.....	1890
Mr Young.....	1890, 1891
Mr Phillips.....	1891
<b>Transportation infrastructure</b>	
Mr Barrett.....	1892
Mr Clark.....	1892
<b>Education funding</b>	
Mr McGuinty.....	1892
Mrs Ecker.....	1892
<b>Waste management</b>	
Mr Galt.....	1893
Mrs Witmer.....	1893
<b>Hospital funding</b>	
Mr Hampton.....	1893
Mr Clement.....	1893, 1894
Ms Lankin.....	1894
<b>Family health networks</b>	
Mr O'Toole.....	1894
Mr Clement.....	1895
<b>Dialysis</b>	
Mr Cleary.....	1895
Mr Clement.....	1895

## Services for the developmentally disabled

Mr Tilson.....	1896
Mr Baird.....	1896
<b>First Nations</b>	
Mr Hampton.....	1896
Mr Snobelen.....	1897
Mr Bisson.....	1897

## Home care

Mr Agostino.....	1897
Mr Clement.....	1897

## GOVERNMENT MOTIONS

### Appointment of the Integrity Commissioner

Agreed to.....	1888
----------------	------

### Time allocation, government notice of motion number 45, *Mrs Ecker*

Mr Galt.....	1902
Mr Bradley.....	1903
Ms Martel.....	1905
Mr Tascona.....	1906
Mr Gerretsen.....	1907
Mr Bisson.....	1909
Mrs Munro.....	1911
Mr Kormos.....	1912
Mr Dunlop.....	1913
Agreed to.....	1914

## OTHER BUSINESS

### Annual report, Office of the Integrity Commissioner

The Speaker.....	1881
------------------	------

### Visitors

Mr Kennedy.....	1886
Mr Colle.....	1886

### Contempt of Parliament

Mr Duncan.....	1898
Mr Stockwell.....	1899
Mr Kormos.....	1899
Mrs McLeod.....	1900
Mrs Ecker.....	1901
Mr Caplan.....	1901
The Speaker.....	1901

### Notice of dissatisfaction

The Speaker.....	1901
------------------	------

## ADJOURNMENT DEBATE

### Home care

Mr Agostino.....	1914
Mr Maves.....	1915

*continued overleaf*



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## Legislative Assembly of Ontario

Second Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 26 June 2001

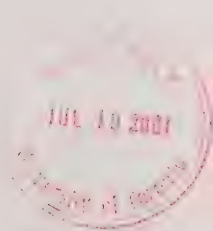
Mardi 26 juin 2001

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 26 June 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 26 juin 2001

*The House met at 1845.*

### ORDERS OF THE DAY

#### RESPONSIBLE CHOICES FOR GROWTH AND ACCOUNTABILITY ACT (2001 BUDGET), 2001

#### LOI DE 2001 SUR DES CHOIX RÉFLÉCHIS FAVORISANT LA CROISSANCE ET LA RESPONSABILISATION (BUDGET DE 2001)

Mr Hardeman, on behalf of Mr Flaherty, moved third reading of the following bill:

Bill 45, An Act to implement measures contained in the 2001 Budget and to amend various statutes / Projet de loi 45, Loi mettant en oeuvre des mesures mentionnées dans le budget de 2001 et modifiant diverses lois.

**Mr Ernie Hardeman (Oxford):** I'm pleased to rise today to speak to third reading of Bill 45, An Act to implement measures contained in the 2001 Budget and to amend various statutes.

As a member of the standing committee on finance and economic affairs, I'd like to thank everyone who presented to the committee over the last couple of weeks. While we heard from many presenters on various items in this bill, the tax credit for low- and middle-income families to help pay tuition costs to independent schools was the largest issue. Though there were many organizations that made presentations, what I found most helpful were the presentations made by parents and students. We heard of the sacrifices being made so that their children could be educated in the school of their choice. I want to point out some of the comments that were made to our committee when we were hearing from people.

We had a young gentleman who goes to a Christian high school, if the Speaker will indulge me, I will read from Hansard from the presentation the individual made:

"In my family, my parents cannot afford to pay the tuition on their own. My grandparents have generously stepped in to help pay for my tuition and the tuition of my brother and sister over the past 17 years. Without their financial assistance, I could not have received an education based on my religious beliefs, and I thank them for that.

"My friend Darrell and his family have also endured hardships because of the cost of independent religious education. His family has been paying for Christian education for him and his three siblings for the past 18 years. For those 18 years, Darrell's family have paid exactly \$123,565 for their Christian education.... Each year, Darryl and his siblings are given the opportunity to attend a public school or to attend an independent Christian school and not go on vacation that year. Every year for the past 18 years, they have made the decision to attend a Christian school and every year they have given up a possible family vacation.

"Darrell's family has also sacrificed such luxuries as going out for dinner and driving a new car because of the cost of Christian schooling. I asked Darrell when the last time he went for a meal with his family was and he couldn't remember. I also asked him about the cars that his family drives. His family cannot afford new vehicles. They drive vehicles that are 10 years old or older and are constantly in need of repairs."

That was just one presenter who was presenting on that issue.

There's a letter I got that was sent to the committee, but was not made in a presentation. Incidentally, it came from Thunder Bay, and it said:

"We wish to applaud the government for its positive proactive stance with respect to the proposed tax credit. We believe that this credit ultimately boils down to an issue of choice. With respect to our children's education, nothing is more important to us than ensuring that their education is of top quality and that it instills in them the same moral and spiritual values that are central to who we are as individuals and as a family. We believe that all these elements are essential for our children to have a complete education."

Another parent described the situation as follows:

"My husband and I drive 10- to 15 year-old vehicles. This is just one of the sacrifices we make so that our children can go to a private school. We buy clothes at Goodwill, because expensive clothes can't guarantee a future, but a good education can. We are not wealthy. We both hold down full-time jobs, plus looking after our three children, plus pastoring a church. We have very little leisure time, and when we do, it's usually 'fun on a shoestring.'

"We are not crying poor; we just want to explain that we feel strongly enough about private education to make these daily sacrifices for our kids."

They go on to explain why it is they feel it is so important to send their children to the school of their choice.

1850

I received a letter from one of my own constituents who wrote:

"I personally know of many people who make great sacrifices to give their children a Christian value-based education. In my own family I have six grandchildren who receive this education at great sacrifice of their parents and when parents with a family income of \$35,000 to \$40,000 spend their first \$10,000 on education for their children I believe they cannot be fairly classified among the rich and elite but rather among courageous people who help their children become adults firmly rooted in their faith and an asset to our society."

These are hard-working middle- and lower-income families, not the wealthy upper class, as the members opposite would have us believe. All presenters expressed support—and I think this is very important—for the public education system but explained that the public system just did not meet the needs of their children for a variety of reasons, including religious and cultural background.

Those who spoke against the tax credit generally expressed concern about the mass migration of students from the public to the private systems. Well, the experiences of other provinces indicate that such migration is not likely. In fact, in Alberta, where they fund private schools at a rate of 60%, the highest in the country, 4.66% of the entire student population attend private schools. In Ontario, it's 4.48% with no funding at all.

This is not about giving a tax break to the wealthy or undermining public education. This is about fairness and parental choice. We on this side of the House believe that parents are in the best position to make the best choice for their children. The member from High Park must feel the same, since he sent his daughter to a Montessori education, which he told us when one of the presenters made a presentation.

While the predominant issue with the hearings has been the education tax credit, I'd like to remind everybody that there is much more in this bill. Nearly every one of the speakers who spoke to the other parts of the bill was supportive of the bill. The reduction of income tax rates for the lowest and middle tax brackets completes the 20% personal income tax pledge that was made to the people of Ontario in 1999 and, incidentally, to help create more jobs in the province. This will mean more than \$4 billion in additional tax savings for the taxpayers of Ontario. This will also mean that 735,000 taxpayers who were paying taxes in 1995 will no longer pay provincial income tax. However, they will still be expected to pay taxes to our federal government. I would hope that the federal government would look at that and also help those low-income families out.

Amendments to the Corporations Tax Act to reduce the general corporate tax from 14% to 8% by 2005 will give this province the lowest combined corporate income tax rate in the United States and all of Canada. The re-

moval of the capital tax on the first \$5 million of taxable capital will eliminate the tax for more than 11,000 small and medium-sized businesses. We will also do a thorough review of all tax initiatives to ensure that they are effective and continue to do what they were meant to do when they were put in place. As an example, we want to know whether what's commonly known as the gas-guzzler tax in the sale of automobiles is, in fact, still achieving what it was supposed to achieve. In another area, the government intends to invest \$500 million of the SuperBuild Millennium Partnerships initiative on transportation and environmental issues in our major urban centres.

All of these will encourage the continuation of the incredible job creation and economic prosperity that the province of Ontario has seen in the last six years. Since 1995, the economy in Ontario has grown by 25%. Almost 850,000 new jobs have been created and tax revenues are up \$15 billion. Tax cuts create jobs, and the lower the tax rates, the more revenue for the province. Last year we paid down the provincial debt by \$3 billion and expect to be able pay down another \$2 billion over the next two fiscal years.

None of this has happened by accident. It is the result of this government's very deliberate plan to cut taxes, reduce barriers to growth, reduce the size of government, do better with less, and as we've done for the past three budgets, balance the budget. To ensure this prosperity is maintained, we must continue to act responsibly and make the responsible choices that have made Ontario the best place to live, work and raise a family.

Thank you very much, Mr Speaker, for allowing me the opportunity to speak to this very important bill this evening.

**The Acting Speaker (Mr Bert Johnson):** Comments and questions? The Chair recognizes the member for Niagara Centre.

**Mr Peter Kormos (Niagara Centre):** I heard the member refer to his—

**The Acting Speaker:** My mistake. It's time-allocated business, so we'll just keep going on the rotation of debate. Further debate?

**Mr Gerard Kennedy (Parkdale-High Park):** It is a mixed pleasure to be here tonight debating this bill. It is the time and the place that the limited courage of the government would allow us to have. Here we are today, in the evening, with just a few minutes allotted per caucus to discuss a bill that would rip a hole in public education, that none of the members opposite would have the courage to bring into their home communities and have forums in public schools to discuss the implications with the students who are now exiting our public school system for the summer. This is on purpose. This is the result, the consequence, the deliberate plan of a government that would run their show in that particular fashion, unable and unwilling to really stand up for this as something they believe in.

How do we know that? Because in American jurisdictions where this particular peculiar policy has been put

forward, there were referendums, public discussions and debates and campaigns, and information was not a short-  
age. But this government is instead sneaking this in in two pages in a budget bill. Its members have said over and over again, "It's tax policy; it's not education policy." It takes students out of public education, puts them in private schools, and it gives them public funds to do it, with the acquiescence of the sheep opposite, because they had their opportunity in their caucus—more so than we on this side—to say something about this and do something about this. Instead we hear the gentle, soft, muted bleating of a caucus prepared to create this unique jurisdiction, the only place in North American that pays families to take their kids out of public education—the only one; not a single other place.

We hear from some of the people opposite, "You can see what happens in other provinces." You can't see what happens anywhere, because there is no other province that has this particular funding arrangement. The honourable member opposite is in consternation, but it's almost too late. That member had an obligation, had a responsibility, to put this forward in a way that could have been accessible to the people in his community, and decided not to.

What we have here, with the vote to follow perhaps tomorrow, perhaps the day after, is an exercise in one thing: power. The government happens to have the power, but it will find as it goes back to its communities that it hasn't got the authority. They think today that somehow, by giving us just eight days of hearings, by using their majority power to stack those hearings, by using their majority tonight to close off debate, by using their majority tomorrow, that somehow makes it right. It doesn't make it right.

There's nothing in this bill, nothing in the defence the government has put forward for it, tepid defence that it's been, that actually says this is better for Ontarians. None of those people opposite have put themselves in that position. Instead they have hidden behind some of the code words. You can find those words easily. Just look at the unused Web sites from the Michigan campaign, because that's where this came from—the same amount of money, the same ambition—except that at least the people in Michigan who put this forward called it a voucher. They called it what it was.

This is a voucher that gives families and students money when they leave a public school system, that lets them go as individuals. That's what I would say to the people out there who maybe supported this government last time and are now wondering, "Why would we support a government that would tear apart community-based enterprises like school boards and our community schools?" Why would people who used to be called Progressive Conservatives want to rip apart the capacity of a community to provide well for all their kids, when most of the people in that community have benefited from that, as have most of the people opposite?

## 1900

They've been lulled by the ideological allure of some of the leftovers on the Republican shelf down in the States. We get these very cute over-leavings that are before us here tonight in this particular bill, which says we will give money, \$3,500, to anyone. If you look at the actual content of the bill—I'm not sure all the members opposite have—it says anybody who is resident in Ontario and any institution that may not even be in Ontario. Not one amendment came forward.

### *Interjections.*

### **The Acting Speaker:** Order.

**Mr Kennedy:** This government was forced to have hearings by our leader, Dalton McGuinty. Under questioning, they had to concede. They had to be compelled to do that. When they went out there, some of the members opposite who are providing some of the background music were there and they heard the people. Even their stacked committee couldn't muster a majority of people in favour. We had hearings in the north that brought up people from as far south as Stayner, because there was nobody they could find to be in favour of this thing.

Those they did find I think the government owes an apology to in the end. They have tied religious schools to the railway track and said, "You will be the poster people for this," even though the members of the government caucus know, and I'm sure have told other people in their communities, that 80% to 85% of the financial benefit they are now squiring off from the public system and are going to give to the private system is going to secular private schools. Sixty per cent of the students are there.

This is how it works out. In Sarnia-Lambton, there's the Sarnia Christian School. You pay \$8,200 in tuition. Only \$1,100 of that is eligible for this tax credit because the rest of it is a religious charitable tax credit. So they will get \$550. But the private, elite schools are going to get \$3,500.

**Mr Garfield Dunlop (Simcoe North):** Do they want it?

**Mr Kennedy:** The member opposite from Simcoe says, "Do they want it?" Well, of course they want it. That is the thin, gossamer, flimsy excuse the government hides behind as they try to claim the legitimacy of groups that have been out there wanting it, wanting some level of recognition.

What the United Nations, which this government rejected out of hand last year, said, and what other groups out there who have listened to groups that have legitimate claims have said, is that this should be done fairly and openly, and should be done on a footing equal to the publicly funded systems we have right now, if it's done at all—but not for the members opposite, not for them some kind of reckoning with the province, some way of putting forward priorities. Instead, those members will rip out \$300 million over the next number of years. This bill that we are asked to pass tonight and contemplate these little sections 40 and 41, this blank cheque all the members opposite are so anxious to push out there, has

no controls on it whatsoever. Anybody next year and the year after can go and sign up at a school.

Some of the members opposite are getting a little fearful of some of the reaction they're getting in their communities, because it's been a strong reaction for this very limited time. I want to show you that we've got responses from over 6,000 people across the province who have filled in envelopes. They have presented and they have said to the members opposite, "You don't have the authority." You may think you've got the power. You may think your majority gives you the ability to do it. But 6,000 have expressed themselves, and if this government had had the courage, 60,000 people would have expressed themselves, but this government was afraid to go and talk to them about what's really in this bill and about what really is going to be there for their schools.

When the member opposite from Scarborough says it's not going to harm anybody, he's not saying to the people of his riding exactly what is happening here. For every single person who gets to leave the public school system, it's \$3,500 that the government is going to provide, but it's \$7,000 that they're going to take away from the local public board. Those public boards will be beggared by this initiative, because the very people this government intends to go to private schools next year—and mark my words, while some of them have tried to say how little this is going to cost next year and so on, for a family contemplating going to private school, over the next five years this is going to save them \$10,500 that could have and should have been in the public system, providing the textbooks many members in these ridings don't have, providing the special education that many of the members in this House know is being taken away, even as we speak.

Over the last number of days, boards have been cancelling special education assistants right across the province. There were families here today that I'm sure the members are going to be hearing from in their own ridings, because boards have cancelled special-needs assistants—25, for example, in Kawartha Pine Ridge. Those assistants are gone because of this government's cuts.

We had the Premier stand here not three weeks ago and say, "This policy"—this lazy approach to education that says we encourage people to leave, to make their individual choices ahead of their community—"to get out is made possible because we're rolling in money. We made the economy work, we did tax cuts and that did everything." If that's true, if that's an actual fact and the members opposite believe it, then you stand responsible for the suffering of some of those kids who were here today, rightly looking for your attention and support. We're not here for the powerful. They don't need a Legislature and frankly they don't need us standing up for them. Average people, working families in Ontario need the people in this House to pay attention to them. If the special-needs kids, the slower learners, the people who are off-track because the curriculum hasn't been done with due care, the people who lost access to what

the students have told us is the in-between time with their teachers—

**The Acting Speaker:** Order. I'd ask you to put those back down on a chair. I think you're done with them now. I'm done with them now.

**Mr Kennedy:** Mr Speaker, I'd be happy to put them down.

**The Acting Speaker:** Thank you. The Chair recognizes the member for Parkdale-High Park.

**Mr Kennedy:** Those 6,000 petitions represent just a fraction of the feeling out there in the province. The members opposite can show no such enthusiasm for their side; in fact they're happy to slink out of the House. But again I would say to you that without any research, with your Premier on the record a year ago saying that this is a bad idea and that it will fragment public education, with your Minister of Education unable in estimates committee to endorse this and say it's a good idea and saying a year and a half ago this would undermine the ability of public education, fellow colleagues and fellow members of the Legislature, over this summer you have a lot to answer for.

We'll say to you, on behalf of the Ontario Liberal Party, that you may pass this measure but we aren't going to let you implement it. This is not something we accept you have the authority to do. Over the next year and a half the people of this province will hear over and over again about the private school tax credit and voucher you've made possible, the public funds you want to divert away from the needs of people in public education, from the things we want to do in terms of smaller class sizes, the excellence centres we want to have in terms of lighthouse programs to make sure schools work better, the confidence we want to give to parents, the task that each of you wants to walk away from. Rather than do that, you're endorsing this.

I say to you members opposite, it is beneath this House to rush this debate. If you have the conviction of this, let's hear it tonight and let's hear you also call out for a discussion that won't cut off the people of this province. If you believe that somehow this is going to be better for people in public education, let's not hide it under a bushel; let's hear from your tonight. But I suspect instead that what we're going to hear are the kind and gentle mewlings of a caucus that hasn't given this the time of day, that believes somehow this is going to be a key to certain higher-income people, finding comfort with them. But I say to them, we've found the spectrum of people who understand the difference between a commitment to public education, where every child has a chance for potential, and what will happen once the government, again the only government in North America, starts to pay people to leave and get out of the way.

Those people leaving are not the ones who need the particular attention; they will be the ones who will bring the most resources and have the least access. We stand here with an alternative called Excellence for All that we think this government is going to find very hard to avoid over the next year and a half. In fact, they may indeed

have a policy and they may indeed get a law at the end of this week, but they won't have something we think they can use in Ontario.

**Mr Rosario Marchese (Trinity-Spadina):** I want to say to the good citizens that it's 7:10, we're on live and it's Tuesday, just so that you know what is going on in this place. I want to say to the citizens of Ontario that I'll be sharing my time because so many members want to speak, as is their right, naturally. I think they feel as strongly as I do. Even though I'm the education critic for this bill, many want to speak to it. I'm delighted that is the case.

I want to say to you, good citizens, that this is the same government, the same M. Harris, the Premier, who said he would never extend support for private schools, or at least religious schools, as he said a year or so ago, because that would take \$500 million out of our public school system. Now, conveniently, he forgets he ever made that statement. In the preparation of the response to the United Nations dealing with this issue, the Premier was eloquent, philosophical, dare I say.

**Mr Gilles Bisson (Timmins-James Bay):** Mike?

**Mr Marchese:** Yes, Mike, good old Mike. Now, I know he had somebody write it. I know that. Nevertheless, the words were beautiful, almost poetic, philosophical. It's hard to believe that M. Harris could have somehow just done a whole turnaround. When you say, "Mike, what happened to that beautiful, poetic, philosophical response you made to the United Nations?" he doesn't say a word. How convenient that his memory has lapsed and he doesn't quite recall what he might have said.

**1910**

Similarly, M<sup>me</sup> Ecker wrote a letter—it doesn't matter to whom—saying she couldn't support extending public dollars to private schools, religious schools, because she said it would take \$300 million out of our public system. La pauvre M<sup>me</sup> Ecker was on record as saying she may not have wanted to put it down on paper, but she did. When you remind her, "But, Madame Ecker, Minister of Education, you said this a year ago. What are you saying now?" conveniently she too has a lapse and pretends she never said it. In fact, never for a moment does she acknowledge that she was the author of such a letter. It's very puzzling indeed, a minister, a Premier saying, "No, we can't do this," a year later saying, "Yes, we need to do it because people have asked for it. They want choice. We need to give them choice because that's what people have asked for."

Flaherty came in front of our committee—another pitiful sight to witness—and argued that he's been listening to people and people want, he said, their own education in their own language and in their own culture. Again it was quite a puzzling thing to hear a Tory say such a thing. Imagine extending such government largesse to these multicultural groups who want education in their own language and their own culture. It is beyond me, beyond understanding, that just a couple of years ago they whacked the immigrant communities when they got

rid of the welcome houses. They said, "Ah, the welcome houses. Who needs them? People come into this country and you survive or you don't or you go back." So the welcome houses were gone.

And the Anti-Racism Secretariat is gone. He says, "We're all equal. We don't have to worry about anything because we've got the Human Rights Commission." So the Anti-Racism Secretariat is gone because people of colour don't have to worry about discrimination. Other people suffering discrimination, you don't have to worry about that, because Mike Harris, the Premier, said we're all equal. So the Anti-Racism Secretariat is gone.

The \$750,000 that was in the Ministry of Citizenship for ESL is also gone. You follow my drift, right?

Employment equity was extirpated, in a couple of weeks just gone, because they said, "No, we're all equal in this society, so you groups that feel discriminated against, don't you worry. We're all equal." That too was gone.

All of a sudden, lo and behold, before my very eyes, Flaherty comes into the committee and says, "We've been listening to the immigrant communities and they want their own education in their own language and in their own culture." I couldn't believe my ears—the same M. Flaherty, the same person who was part of a government that simply said to all these other communities that have been discriminated against, "You're gone. All that is gone," and all of a sudden he wants to address their needs. I don't get it.

All these U-turns these people make. It isn't enough that we've got worry about Liberals doing it, you've then got Tories doing the same thing, right? You just can't vacillate and flip-flop all over the map. You can't. It looks bad on you.

While the Liberal Party pretends to have a clear position, saying, "We are against," they have been on the record and they dare not say it. They dare not say which side of this issue they're on. Good citizens, you may have seen and/or heard them say, "Yes, fairness for religious schools." The question is, when? If not now, when? Presumably when they become government. Maybe then they'll extend full funding to those religious communities. I'm not quite sure what they mean by fairness for—

*Interjection.*

**Mr Marchese:** Oh, no. Someone speaks in protest. Caroline Di Cocco, from Sarnia-Lambton, says, "Please, Rosario Marchese, don't say that." Well, I'm sorry, it's not me saying it. I'm just articulating what your own members have said, which includes your education critic and Dalton McGuinty, your leader. Sorry, you're all on the record on this. When your critic and your leader are on the record, you automatically are on the record too. Right, Gerard?

**Mr Kennedy:** What was it we said?

**Mr Marchese:** Gerard Kennedy, you, education critic for the Liberal Party, were quoted in your local newspaper as saying, "Yes, we believe in fairness for religious communities, but not now."

**Mr Kennedy:** That's not what I said.

**Mr Marchese:** I quoted you here. I called the journalist and she said, "I stand by the article I've written." What was not in quotations—

**Mr Kennedy:** You've got to quote exactly what was there, Rosario.

**Mr Marchese:** Gerard Kennedy, please, I quoted you very clearly from the newspaper.

*Interjections.*

**Mr Marchese:** Mr Kennedy laughs. I can't believe it. Hold it a moment. What am I not getting here? I quoted you very directly from the local newspaper.

**Mr Kennedy:** Quote the whole thing. Read the whole thing.

**Mr Marchese:** I've got to go back and get that article. But don't worry, Gerard—

**The Acting Speaker:** Order. It's a nice conversation, but I'd like it to be through me. Thank you.

**Mr Marchese:** Through you, absolutely. Through you, Speaker, we'll have other opportunities to engage with Gerard Kennedy and M<sup>re</sup> Di Cocco from Sarnia-Lambton. We'll have so many opportunities to engage each other, because that's what it's about, engagement, right? I like that. It's healthy when we can put things out on the record and agree or disagree: "We said this. We didn't say this."

New Democrats have been clear from the start: we support public education, not public dollars for private schools. Isn't that right, Ernie? Through you, Speaker, to my good buddy here who was in committee saying, "Oh, the critics say this is only for the rich people." Well, Ernie, I'm sorry, 60% of this money—public money, my money, yours, and all the good citizens' and taxpayers' you pretend to represent—goes to non-denominational schools, and these people pay anywhere from 7,000 to 15,000 bucks to go to these schools. Ernie says, "Some of these people are poor." Come on, Ernie. Hardeman, if someone's got 15,000 bucks to send their little boy and their little girl to a private school, I'm sorry, they don't need my help. Ernie says, "The critics say all these people are rich, but they're not."

While it is true that there are individuals from those religious communities who, it's very true, don't earn a lot of money—and I acknowledged that in committee hearings, that those 40% who send their kids to religious schools don't earn a lot of money. I acknowledged that. They work hard. They volunteer. They do. Just like parents who send their children to our public school system, similarly they work hard. They all work hard. While these people who send their kids to religious schools make sacrifices, so do others who earn very little and send them to our public system. But that's a choice they made, to send them to these other private schools. That's a choice that is made in private and it's got to be paid by them, by the sacrifice they make for the choice they make.

A person came representing a Montessori school and I asked her what the teacher-pupil ratio was. She said 1:15. I said, "My God, who wouldn't want to send their children to a school where the ratio is 1:15?" If I got money

from the government to send my kid to such a school, who wouldn't take it? I would take it.

Similarly, Joe Spina, member from Brampton, you were there.

*Interjection.*

**Mr Marchese:** I beg your pardon? You don't like what I'm saying, right? The member from Kingston and the Islands, you don't like what I'm saying. I appreciate that.

**Interjection:** He wasn't there.

**Mr Marchese:** It doesn't matter. I'm just talking to you guys now.

1920

They said the Minister of Education is pummeling educators and other non-teaching people who work in the system, day in and day out. They're taking a beating—whack—day in and day out. There has been \$2.3 billion taken out of the educational system. Ernie Hardeman says, "You've got to be made accountable. You people don't deliver the goods. We're going to make you accountable. We're going to change the curriculum, we're going to change report cards, we're going to test teachers, we're going to test students." And then you ask Hardeman, "What about the private schools?" Of course these other parents are not going to be subjected to the same scrutiny and to the same harsh accountability mechanisms you've put in place. Ernie says, "That's OK."

There's so much to say and we have to divide the time with so many friends here, but I wanted to make that point. Ernie was delighted when these other people came and said, "We don't have to be made accountable." Here you have him saying, "We're going to whack the public system day in and day out, but these other people, well, it's choice. They make a choice and we want to give away our money to them and they don't have to be made accountable anyway."

I don't know what you can say about these fine Tories. I know what I want to say about the Liberals, but I don't know what you can say about these fine Tories. They're going to be sucking our public dollars away, as they did out of public education, \$2.3 billion already and here we have another \$300 million minimum.

**Mr Kennedy:** Are you talking about Tories? I thought you were talking about Liberals.

**Mr Kormos:** It's six of one, half a dozen of the other.

**Mr Marchese:** Yes, six of one, half a dozen of the other. That's good.

So it's \$2.3 billion taken out of public education. Now \$300 million at minimum is going to be sucked out, and it's going to go who knows how high; \$700 million, as Mike Harris said. Who knows?

But you have all the Tories on the other side saying, "Oh, no, we love public education. We support public education. Good heavens, we wouldn't do anything to hurt public education." So what about the \$2.3 billion you've taken out? "Good God, Marchese, you've got it all wrong. We've put money in and we continue to pour money in." But the education system is going down the tube. "No, Marchese, you've got it all wrong. They're

just teachers who whine. You know how they are." And the other parents who complain that the system is going down the tubes? "Ah, they're whining too. You know how they are." Only the Tories, God bless them, know what they're doing.

Mr Bisson wants to follow me. Good citizens, we'll come back to this issue again. There is plenty of time. Mr Christopherson and our leader will be speaking. Thank you very much for your attention. We'll see you again.

**Mr Joseph Spina (Brampton Centre):** It's always entertaining to listen to my friend from Trinity-Spadina. He is a very entertaining person. When we travelled in committee with this bill, at all times we knew exactly where he and his colleagues who subbed for him once in a while were coming from.

It was really interesting, on the tax credit issue particularly, to hear how some of the proponents of the bill and the school tax credit literally attacked the leader of the Liberal Party. I thought it was pretty gutsy of these people to call him on the carpet and make him accountable as to where his position was. He said if he became the Premier and the government, he would repeal it. The next thing, we have a denominational school present and he said, "Well, we might be able to support it for the denominational schools, but not the non-denominational schools."

**Mr Kennedy:** He never said such a thing.

**Mr Spina:** It's on record. It's in Hansard, member. Check it. So there are three different versions of where the Liberal Party leader stands on this issue.

These people are making a big deal out of this bill. They want to call it the tax credit bill, but it isn't; it is the budget bill. The collective opposition conveniently ignores the business people who came to make presentations to the committee hearings, like the Canadian Federation of Independent Business, the Ontario Chamber of Commerce and many other business associations. They came to talk to us about the other elements of the bill.

I want to talk about the section of the bill that I'd like to call value for money. We have to begin by looking at the global economy as a rapidly shifting and changing structure. Every day brings innovations in the way we do business. Every day brings new economic challenges and opportunities. Government cannot stay in isolation from these changes. Government must embrace these changes in order to help us serve the general public more efficiently, in a more accountable manner and in a more responsible way.

The Ontario 2001 budget has clearly shown that this government takes seriously the fiscal management of the province's finances. Worth repeating are the following fiscally responsible actions of this government:

For the first time in nearly 100 years, this Ontario government has presented three consecutive balanced budgets, and not with two sets of books like the Liberals did in 1990, one for operating, one for capital. We did it in a proper, businesslike accounting way: one set of books, all-inclusive, and a balanced budget three consecutive times.

The largest-ever one-time debt reduction payment of \$3 billion. How does that compare to the doubling of the provincial debt just in the five-year period of the NDP?

Proposed measures to continue cuts to personal income tax will benefit virtually everyone in this province earning less than \$100,000. In fact, it virtually cuts everyone earning less than \$35,000 a year from paying any provincial income tax at all. That's intended for the low-income earners.

Proposed measures continue cuts to corporate taxes which would ensure the international competitiveness of Ontario business.

In addition, our government is proposing to introduce a Public Sector Accountability Act. This requires that all significant public sector organizations report annually on their performance. These are the transfer partners that we talk about within our government operating budgets. These organizations are hospitals, school boards, colleges, universities. They will have to present annual business plans and balance their budgets every year. These organizations, like the government of Ontario, will be accountable to the taxpayers of this province and others who fund them, because the Public Sector Accountability act will extend the powers of the Provincial Auditor. The Provincial Auditor's office will receive funding to carry this out.

**Mr John Gerretsen (Kingston and the Islands):** We're dealing with Bill 45 here, not Bill 46.

**Mr Spina:** This is Bill 45. It talked about it in this act and it talks about accountability, and that's where it fits in this bill, sir.

But accountability does not end when the books are balanced. True accountability goes far beyond the numbers. Public sector organizations would identify and demonstrate areas where they excel and cite areas where there is a need for improvement. They would report on their progress in finding new ways of delivering services. They would look for areas where the private sector could do a better job. They would report on their efforts to find ongoing efficiencies. We challenge them to show courage, to focus on services that are the most valuable to the people of Ontario, to eliminate programs that are outdated and no longer serve their original purpose.

We will be calling on experts in the private sector to form a panel to review the role of the government in the 21st century. This panel will begin public discussion on where the government does and does not belong.

We will undertake a value-for-money review of all government spending. It will rely on private sector expertise in carrying out this work. The review will answer common sense questions when assessing any government program or service, questions like: is the service meeting its original objectives? How important is the service? Who should be delivering the service?

**Mr Kormos:** On a point of order, Speaker: A quorum call, please.

**The Acting Speaker:** Would you check and see if there's a quorum present, please?

**Clerk Assistant (Ms Deborah Deller):** Quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

1930

**Clerk Assistant:** A quorum is now present, Speaker.

**The Acting Speaker:** The Chair recognizes the member for Brampton Centre.

**Mr Spina:** Now that we have the frivolous quorum call out of the way, I'm going to repeat that the value-for-money review will rely on private sector expertise and ask questions like, is the service meeting its original objectives? How important is the service? Who should be delivering the service, government or private sector? Who can do it better? The value-for-money review will direct us to wasteful activities that could be, and in fact should be, eliminated. It will generate savings to invest in our highest priorities, those priorities like health care and education that are very demanding and are needed to address the population of our province.

One of the first decisions made through this process was putting the Province of Ontario Savings Office up for sale. What is government doing in the banking business? Like, what was government doing in the airline business? What was government doing in the nurseries business? We have no business doing that. So what should we be there for? The government of Ontario does not belong in the banking business. It is clear to us that the private sector has more expertise than we do when it comes to running a bank.

The recent lease of the Bruce nuclear facility is another example of providing value for money to our Ontario taxpayers. Simply put, there was a need for investment at the Bruce nuclear facility to improve its performance without jeopardizing safety. Bruce Power, a private sector consortium, answered our call, leasing the facility from Ontario Power Generation. This is the kind of cost-effective solution that leads to greater value for electricity customers and taxpayers alike. Bruce Power's success encourages us to seek other avenues of private sector expertise, other ways to increase value to customers and taxpayers.

I believe that no other jurisdiction in North America is so actively pursuing value for taxpayers' money. I know the members of this House have heard it before, but I want to repeat it one more time, especially for the socialists who think the only people who can do things cost-efficiently are government. We all know what a pile of nonsense that is. Ask any consumer. The minute you talk about a government doing something, they laugh, because it smacks of fat bureaucracy, boondoggles and wasted money. We have to bring that back. I will repeat it: tax dollars belong to the hard-working families of Ontario, not the government.

**Ms Caroline Di Cocco (Sarnia-Lambton):** Well, in this warm Legislature, the member from Brampton Centre obviously makes a very selective debate. Sometimes when I listen to the debate from the government members, in my mind I think they really should get de-programmed. I'd like to consider the fact that we need

some critical thought over there. There's almost a cult-like environment in the sense that you spout the same words: "Public sector is bad; private business is good." That's a simplistic attitude in that it has nothing to do with what the role of government is; it has to do with this mantra of, "Private business is the only one that can do anything."

When it comes to the budget bill, in the limited time I have to speak, the biggest issue for me is the education portion, whereby we have this paradigm shift in public policy inserted into a budget bill. It isn't even separated. This is how much this government thinks about education. When you talk about the mandate given to this government, they—the Conservative government, the Harris government—provided to the United Nations a legal document with all the reasons they were not going to fund private schools. Obviously, that argument is not important today, for whatever reason. They have forgotten that they actually made this legal document submission to the United Nations.

The other aspect of the flip-flop—of course we all heard Mike Harris in his debate saying absolutely not; he was for public education and there was going to be no funding provided to the private sector. The government has done an about-face. It gave the public in 1999 a whole different view of where they were going in education. In my view, they have disregarded their promise of 1999. Halfway through their mandate, out of the blue, comes this part of the budget that is now going to change and take anywhere from \$300 million to \$700 million out of the public coffers and provide tax credits for private schools.

This paradigm shift came out of the blue. There were no studies done because this government doesn't really care about studies, about getting professional advice. They do care what the Red Tape Commission does when they want to deregulate rules. In my view, they want to take away some of the regulations that protect public safety because it's too important for them to ensure that a number of these companies have their bottom line. That's what is important.

One of the other aspects of this is that private schools—and this government uses the word "accountability" over and over again. In my view, the Tories do a disservice to the word. They like to use it, but their actions are contrary to it. If they did believe in accountability, where they provide public dollars for private services they would ensure there is a mechanism for accountability. In this instance, there is none. From grade 1 to grade 8 in the private schools, the schools do not have to hire teachers with certification. They do not have to abide by the provincial curriculum. They're not inspected. You can start a private school with five students. That's all you need. Where is the accountability there? There is none. Those are the facts.

1940

When it comes to the real commitment to public education that is missing in the platform of the Harris government, I can assure you that in my riding the provincial

funding for textbooks for the new curriculum has been cut. I want to take an opportunity to drive home the point to anyone listening to this channel and to the members in the Legislature—I have a letter from a teacher who will be retiring soon in my area. She was very well-spoken when she got the fax regarding our schoolbook funding. This is what she says:

“Driving to work at SCITS last Thursday morning, I listened to the Harris government’s latest media campaign—advertisements subtly extolling the government’s literacy tests and policies. The advertisement prompted me to think about money and priorities.

“The provincial funding for textbooks for the new curriculum has been cut this year. In Lambton-Kent, the funding for 2000-01 was \$529,000; in 2001-02, the funding is \$244,000.” Remember, the students going into grade 11 now all need new textbooks and the funding is less than half. “At the same time, the prices of textbooks that have to be government-approved and that coincide with the new curriculum have risen. For example,” and she’s very specific here, “in 1999, the price of the Nelson Publisher book package for English for grade 9 for the new curriculum was \$34.98; this June, the price for the Nelson package for English for grade 11 is \$59.45. A similar situation exists for the core subject textbooks in mathematics and science. Therefore, at a time when the provincial allotment has been cut, textbook prices have risen. The grade 10 literacy test, which did not even count, cost \$15 million to devise and to administer.” Talk about wasting money.

“While no one can deny the usefulness of a valid literacy that is properly marked, how many textbooks would \$15 million purchase? How many textbooks, even at the new, higher prices, could be purchased with the money used to fund the latest Harris government’s ad campaign?

“One of the favourite buzzwords of the Harris government is ‘accountability.’ Where is the accountability in this situation?

“I guess that the next election will tell the tale.”

Betty Carson wrote this because she is a committed educator, a grandmother, and she has also attended both private schools and public schools.

The commitment that the Ontario Liberal Party has to education is certainly solid. It’s important to note that education is the key to economic development. It is the key to what we have with regard to our ability to compete globally. Education is what develops a civil society, public education, accessible to all. All the children in this province deserve a new textbook.

The Ontario Tories do not understand that. They don’t understand that the role of government is more than just to get out of the face of business. The role of government is also about public education. The role of government is about health care. The role of government is about protecting the environment and protecting public health and safety.

As the Tories continuously waste millions of dollars on ads, as the Tories come forward with and decide on

these schemes for giving tax credits to private education for private schools without understanding the long-term impact—you see, this government has a legacy of not understanding how their cuts and their decisions impact long-term, because they don’t have a vision for the province. You have to understand what you’re about. Unfortunately, this government, in my view, vis-à-vis their budget bill, Bill 45, shows it does not understand that government does have a role. It has a role to protect public health. It has a role to ensure that public education attains a level of excellence, bar none. That’s the very least we should expect of government. In my view, this government has abdicated its responsibilities in every way.

I will finish off my debate.

**Ms Shelley Martel (Nickel Belt):** I’m going to speak very briefly. I am compelled to speak in light of the comments that were made by the member for Brampton Centre. There are two points that have to made.

The first has to do with his comments about how changes in Bill 45 will increase the ability of the auditor to do his job. I think that I’m going to send him a copy of the auditor’s letter sent to the public accounts committee, dated June 7, where the auditor says very clearly that if he doesn’t get, from your government members on the BOIE, the funds he needs to do his work, he’s not going to be able to do his job on behalf of the province of Ontario.

I think I’m going to put some comments into the record from the letter just to reinforce that point here today, Mr Spina, where the auditor told the members the following:

“As part of my estimates submission, I advised the board”—BOIE—“of the following:

“Ontario is funded at about one third of the average level of the other Canadian legislative audit offices per \$1,000 of government revenue and expenditure.

“The office’s approved staff complement has been decreased ... from 115 to 85 or about 26%, while revenue and expenditure subject to audit has increased by 38%.”

Accordingly, the auditor went before the BOIE and asked for an increase of about \$600,000 to increase his staff complement and to carry out two special audits that he had been directed to do unanimously by the public accounts committee: (1) on the OPG-Bruce nuclear leasing agreement and (2) on the agreement with Cancer Care Ontario to set up a private radiation clinic at Sunnybrook.

Of course, two weeks ago the BOIE told the auditor that his budget was going to be flatlined, the same as last year, with no increase of \$600,000. So the auditor wrote to us and said, “The impact of the board’s reduction by \$608,800 of the funds requested to perform my responsibilities under the Audit Act must be considered in light of the fact that my office is already by far the most underfunded legislative audit office in Canada.” He’s not going to be able to hire the staff he needs and he says, “The consequence of the board’s funding decision is that my office will not be able to audit major government

programs and agencies with the required frequency dictated by our risk assessments."

His conclusion was and this is most important—and I'm sorry that the member for Brampton Centre has left because I wanted him to hear this—"As a servant of the Legislative Assembly and of the public accounts committee, I consider the inadequate funding provided as interfering with my office's ability to fulfill its responsibility under the Audit Act in a timely manner and is counter-productive to good accountability."

Whatever the government is trying to pass in Bill 45 that will allegedly improve the ability of the Provincial Auditor to do his work, because the government is not interested in funding the Provincial Auditor properly, he will not be able to do his work which is to guarantee to the taxpayers of the province of Ontario value for money of government spending. That's the first point I wanted to make.

The second has to do with the member's comments with respect to the Bruce-OPG leasing agreement which this government signed off on last July. The member talked about how wonderful this lease agreement was. This is the largest lease in the history of the province of Ontario in terms of a public asset and the Premier, a day or so after the lease agreement was signed and made public, said that he would welcome scrutiny of this deal by a legislative committee, that he felt so confident in the value of the deal and of its benefits to the taxpayers of Ontario that he would welcome public scrutiny of the deal by a legislative committee.

I took the Premier at his word, I did. I went to the public accounts committee last October—October 5, to be exact—and I moved a motion for the Provincial Auditor to review all aspects of the Bruce-OPG leasing agreement to ensure that the public was getting value for money for the lease of this asset. You see, the people of Ontario paid for the Bruce nuclear complex, paid a lot of money for that, and I wanted to ensure that the taxpayers are getting value for money for that asset through this deal. It took that meeting of the public accounts committee on October 5 and another meeting on October 12—four hours of debate in total—and the government ended up not agreeing to my motion for the auditor to immediately review the aspects of this deal. It ended up that the government agreed that we would look at this deal, that the auditor should be assigned to look at this deal, once all the conditions of the leasing of the plant were met, which only happened about a month ago.

1950

So here we are a month later. The auditor is ready to begin now his review of this important transaction, a review that the Premier said he would welcome, and lo and behold, when he goes to the Board of Internal Economy to ask for the additional resources needed to review the deal, the Conservative members of the BOIE turn down his request for those funds to do that special audit. So it's not clear to me any more that the Premier really meant what he said last July when he said that he would welcome a review or scrutiny of this deal by a

legislative committee, because if he had meant what he said, then the four Conservative members on the Board of Internal Economy would have voted to give the auditor the financial resources that he needed to hire the staff he needs to do that audit.

It is true that the auditor was back before the BOIE yesterday and all of these estimates were reviewed again. I understand that at the meeting yesterday my colleague from Timmins-James Bay, Mr Bisson, moved a motion that was seconded by Mr Agostino of the Liberal Party to demand that the Board of Internal Economy give the auditor the funds necessary so he could proceed with a review of the OPG-Bruce leasing agreement. And you know what happened? My colleague tells me that four Conservative members on the BOIE voted that motion down again yesterday.

So it's clear to me that the Premier didn't mean what he said last July when he said publicly to the media that he welcomed scrutiny of this deal by a legislative committee. If he had meant what he said, his members would have voted yesterday for the motion put forward by my colleague to allocate those resources to the Provincial Auditor so he could begin this special work.

Now government members have one more chance—one more chance—because I understand that in two weeks the board will meet again to make a final decision with respect to the estimates of the Provincial Auditor, and included in those estimates of course—

**Mr Steve Gilchrist (Scarborough East):** On a point of order, Mr Speaker: I've been going through Bill 45 for about the last 10 minutes and I can't find any reference to an allocation to the Legislative Assembly. The member is clearly not on the topic of the bill and, given the importance of the budget bill, I would really like to hear her comments in the 18 minutes remaining to Bill 45, the topic before us here tonight.

**The Acting Speaker:** That is a point of order. I've been listening very carefully to the member for Nickel Belt, and I'm sure you'll bring the arguments that you're putting forward within the context of the bill.

**Ms Martel:** If the member from Scarborough had been here, he would have heard his own colleague from Brampton Centre refer to this deal, but since he wasn't in the House when his own colleague made the comment, I guess he doesn't know what he's talking about. Next time he should be here when the whole debate goes on.

So the problem is two weeks from now—

**Mr Gilchrist:** On a point of order, Mr Speaker: As the experienced member opposite knows, cheap shots referring to who is or who isn't in the House at any time are out of order, and I would ask you to direct the member to stay on topic and stay a little more civil in her debate.

**The Acting Speaker:** There's nothing at all in my book of procedure that mentions cheap shots, so that is not a point of order.

**Ms Martel:** As a said, it was his own colleague from Brampton Centre who made the original reference to the Bruce-OPG deal, and that's what I'm speaking to. I can't help him if he wasn't here to hear that.

As I was saying, the Board of Internal Economy and the four Conservative members on it have one more chance to do the right thing, because two weeks from now the board is going to meet again to deal with the estimates of the auditor, and included in the request of \$600,000 for additional funding is the allocation to do the special audit of the Bruce-OPG deal. So two weeks from now, when the Conservatives come back to vote on this matter, we are going to see whether or not the Premier really meant what he said a year ago—July 14 to be exact—that he welcomed a special review, an independent review, of this deal by a legislative committee.

I look forward to seeing what the four Conservative members are going to do in this respect two weeks from now.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm very pleased to join in the debate with respect to Bill 45, which is An Act to implement measures contained in the 2001 Budget and to amend various statutes.

**Mr Gilchrist:** I bet you're going to stay on topic.

**Mr Tascona:** The member for Scarborough East knows I'm always on topic so that won't be any difficulty, and I'm very appreciative that he's here to share this with me.

I want to speak for a moment about health care. We know the people of Ontario care passionately about their health care system. They've told us that health care is their number one priority, and we have responded in Bill 45. We've invested more money in Ontario's health care system than any government before us. Between the year 1994-95 and the year 2000-01, health-based operating spending has increased by \$4.7 billion. This year it will increase a further \$1.2 billion, to \$23.5 billion. That is the equivalent of \$745 per second. Think about it: \$745 per second times 60 seconds in a minute, 60 minutes an hour, 24 hours a day, 365 days a year. This is an enormous amount of money—money provided by the taxpayers of Ontario.

In the year 1999, the government made a commitment to increase health care spending by 20%, to \$22.7 billion by the year 2003-04. The government will exceed this commitment in the year 2001-02, two years ahead of its original schedule.

In September 2000, in response to the federal announcement of additional funding for health care, the province challenged the federal government to restore the CHST and to do more to help provinces maintain quality health services, and to their credit, the federal government responded to the pressure from the provinces and from the general public at large.

Ontario called on the federal government to commit to paying, at a minimum, 18% of the nation's health and social services bill, the same level paid before it started cutting in the year 1994-95. Around that time, there was a lot of talk by the federal government of how committed they were to home care. Actually, it was non-stop talk with respect to the Minister of Health, Allan Rock, in terms of their commitment to home care. The fact of the matter is the community care access centres are funded to

the tune of in excess of \$1 billion by the provincial government, a very detailed and focused approach to providing home care in this province. The bottom line is that the federal government does not contribute one nickel towards community care access centres or home care. Let's be on the record and let's be clear that the federal government is talking and spinning that they are committed to home care, but at the same time they don't provide anything.

The member for St Catharines wanted to talk about highways. The same thing applies with respect to highways. Where is the federal government's national strategy with respect to highways? There is none. They basically put all the money with respect to gasoline taxes into general revenues, and they also have an illegal tax of GST on gasoline.

Where is the national strategy on home care? Where is the national strategy on health care? There isn't any strategy coming from this federal government.

Ontario had already made a commitment to use any additional health funding provided by the government of Canada, including amounts announced in the 1999 and 2000 federal budgets, for health care. In December 2000, the second quarter Ontario finances report an increase or an acceleration of health care spending of \$498 million—almost half of the \$1-billion-plus federal enhancement to be provided in the year 2001-02. Since 1998-99, Ontario's total base health care spending, operating and capital, has increased by \$4.8 billion, as compared to \$2.4 billion in restored federal funding. Total base health care spending is \$1.5 billion higher than the 2000 budget forecast of \$22.2 billion, exceeding Ontario's commitment to invest all the \$1.7-billion increase in restored Canada health and social transfer, CHST, funding from the federal government in health care.

#### 2000

There's no doubt that since 1994-95, Ontario's total base health care spending, operating and capital, has increased by \$5.9 billion. That same year, federal funding began a steady decline until 1999-2000, when the federal government finally started restoring some of the cuts it made. I find it very heartening. People say, "Why are you bothering the federal government on this? You've never been able to persuade them to do certain things." They were moved with respect to health care funding. They were moved with respect to tax cuts. But more focus has to be put on getting their commitment to health care.

In my riding of Barrie-Simcoe-Bradford, a very fast-growing riding, we have Royal Victoria Hospital. We're trying to get a regional centre for cancer care. The cost of that is very significant, in the range of \$60 million. We need the federal government to commit to health care funding so we can provide those types of services close to home in a riding such as Barrie-Simcoe-Bradford.

I was very pleased last week to be in Julia Munro's riding of York North at Southlake Regional Health Centre to announce the wing to be named after Al Palladini with respect to regional cardiac care. That is something that will serve 10 other hospitals throughout

the region; it is going to be the regional centre for cardiac care. It's a fitting tribute to the late Al Palladini and the work he did in the community. Peter Palladini was also in attendance at the event, part of the family. I can tell you that Southlake plays a pivotal role in our health care system.

The bottom line is that health care has to be provided closer to home for the people who need it. We can't do that unless the federal government starts to pay its way with respect to health care. They basically have reneged on their commitment to home care. There is no national strategy with respect to home care. There's a lot of other programs they said they committed to but there's no national strategy.

Health care spending is consuming an increasing share of this government's spending capacity because of the federal government's inaction. In the year 1995-96, base health care spending made up 38% of the government's program expenditure. That is excluding capital and public debt interest. Health care's share grew to 44% in 2000-01 and will increase to 45% of the government's spending capacity in the year 2001-02. That's attributable not only to the use of the health care system—that's what it's there for—but because of the federal government's inability to understand the needs of this country.

Health care spending by this province has basically been focused on making sure that our health care system reacts to the sectors that need to be provided, the specialty care close to home and home care. That's been part of the program.

I'm very pleased to have spoken on this bill. I know the member for Northumberland is going to follow me and I wish him well.

**Mr Gerretsen:** In the few minutes I have left, I wanted to correct a couple of misimpressions that may have been left by the last member. If he will take a look at his budget document, it will clearly indicate to him that the extra \$1.7 billion being expended on health care this year is as a result of an increase of the federal transfer payment.

#### *Interjection.*

**Mr Gerretsen:** I refer you, sir, to page 65 of your budget, which clearly shows that the amount has been increased from \$4.1 billion to \$5.6 billion, with an extra \$380 million.

Now, I will grant that there has to be a national and a provincial standard and a mandated commitment with respect to home care. That's what the people out there want and that's what they need as we live in an aging society. This whole argument that we're spending a greater percentage of our budget on health care now than we did five or 10 years ago doesn't mean anything at all. It may very well be that there are shifting priorities, that there are programs that may have been relevant five, 10 or 20 years ago but are no longer relevant, and it may be that as a result of living in an aging society and as a result of people living longer, more of our budget needs to be spent annually on health care than on something else. The percentages by themselves mean absolutely nothing.

What is interesting is that when you look at our gross domestic product in Ontario, we are spending less of a percentage now than we did in 1995. I think the Minister of Health will agree with me that back in 1995, we spent 5.7% of our gross domestic product in Ontario on health care costs, and now it's 5.3%. It is actually less of what we produce in this province than used to be the case.

Let there be no doubt about it. Health care, hospital care and the community care provided through our community care access centres remain a fundamental, major issue as far as the people of Ontario are concerned. The government plays games by saying, "We have flatlined the budgets of the community care access centres across the province to the same amount they were budgeted for last year," but that ignores the fact that in the vast majority of cases supplemental amounts were paid to each CCAC—in the case of Kingston it was something like \$3.3 million, and in many other community care access centres of the same size a similar extra allocation was made—that are being denied to those centres this year. There can be no denying that. Last year, Kingston spent \$28 million and this year they're asked to do with \$25 million, which is what they had originally budgeted for last year. Just about every community care access centre is in exactly the same situation. How there can even be a debate about a factual situation like that, or a denial by ministers of the crown, absolutely defies any kind of accurate explanation.

Governing is about choices. This government made a clear choice about the corporate tax situation in this province. This budget bill basically implements the final stage of the \$2.2-billion corporate tax cut in this province. That is a huge amount of money. If we had set even a portion of that money aside for improved health care, for our community care access centres, to help those individuals who have developmental handicaps—as we heard this afternoon and have heard in years gone by, a lot of these young people are now beyond school age, are over the age of 21, and are being taken out of the schools. Their parents, with whom many of these developmentally handicapped children live, have been given absolutely no financial support of any kind to look after the special needs these children require. I'm sure we have all heard from our local Association for Community Living. We've been told of the tremendous problems these often aging parents are running into, that they cannot look after these youngsters who are now beyond school age. They need help.

The minister in the House today said something to the effect, "Well, \$16 million was put aside." Yes, \$16 million is a lot of money, but when you look at it to service a program clear across this province for adults and individuals who are in that situation, it is a very little amount. It simply is not enough.

The point I'm trying to make is that there are so many programs out there where the most vulnerable in our society are not currently being helped to the level they should be but who could have been helped if a little of

the \$2.2-billion tax cut, the final stages of which are being implemented in Bill 45, had been set aside for that.

**2010**

As Gerry Phillips, our finance critic, has pointed out on a number of occasions, why is it so necessary for Ontario to have a corporate tax structure that is 25% less than the surrounding jurisdictions, particularly in the states we deal with on a year-to-year basis? Why is that necessary? I'd like somebody to explain that. There is absolutely no reason for that. If we want to compete with these jurisdictions, surely we want to compete with them on having the same tax level as they have, but why do we have to be 25% less? We want to compete with them on the quality of life we're able to give to the people who live in this province. We want to compete with them by having health care costs much less than in the American situation. That's what's important. By that extra 25% in having corporate tax cuts below the American jurisdictions, because of the lack of tax dollars coming in as a result of that cut, we are denying many people the programs they so dearly need in this province on an ongoing basis.

There are many other aspects of this bill that we could be talking about. Much attention has been paid to the tax credit, the tax voucher system for private schools. I will be the first to admit it's a difficult situation. Many of the people who send their children to denominational schools are not necessarily rich people by any means. But those people have a choice. They have a choice to either send their children to a publicly funded system or to a private school which sets its own rules and regulations in terms of religious teaching and anything else they want to do within the parameters of the Education Act. That's the choice they have.

As I remind many of the people I have spoken to in my own riding, just remember one thing: the moment you get something from the government, whether it's by way of a tax credit or a subsidy in any way, shape or form, the government sooner or later is going to have some say about the programs you're running. When you mention that, particularly to many of the parents who send their children to the religious schools, they get very hesitant and they're not that sure about it.

I was very much taken by the presentation made to the finance and economic affairs committee by the Ontario Principals' Council. They laid out 12 criteria under which a religiously affiliated school could be brought within the public sphere. The first criterion they set out is that private schools, if they want to be part of the public system, must be open and accessible to any student who wishes to enrol, regardless of race or religion. I'm wondering how many of these faith-based schools would fall within that parameter. They go through a number of other parameters as well.

Another thing I cannot understand is why the government was in such a tremendous rush to have this bill passed. Everyone knows that the tax credit is not going to take effect until the year 2003. In other words, they had another full year and a half in which the bill could have

been discussed and debated. There could have been many more public hearings about it. As a matter of fact, there were only eight days of public hearings held.

We, within the Liberal caucus, held some alternative hearings. A week ago tonight, Mrs Dombrowsky and I had alternative hearings in Peterborough, attended by about 45 people. We heard from a variety of parents. We didn't just hear from one side of the issue. I'll be totally fair about that. The vast majority of the people supported the publicly funded system and felt there shouldn't be tax credits, but there was the odd person who felt it was a good idea. But all these people were basically saying, "First of all, what's the rush? Why don't we give this more thought? Why should this be passed when it's not going to be implemented for another year and a half?"

I think that's a question that has to be answered by this government. I don't know what they would say to that. It's a fundamental shift in how we have looked at publicly funded education and the publicly funded health care system in this province.

I say to the people of Ontario and to the members of the assembly here that Bill 45 is a bill of tremendous significance. It will fundamentally alter the funding of our education system here in Ontario. Basically, it will take out of the system—or the government will no longer get tax funding of—somewhere between \$300 million and \$700 million per year as a result of this tax credit situation. That is a fundamental change. That is money that could be used for books, that could be used for supplies, that could be used for special education assistance, that is no longer available for the system.

In the few minutes I have left—there have been many comments made about value for money. A couple of government members made the comment that they're really interested in value for money. Certainly in the throne speech and in the budget speech an awful lot was made of the Public Sector Accountability Act. It was introduced with great fanfare back on May 9. Do you want to know something, Speaker? The House is going to adjourn two days from today. The bill has never been called for second reading; it's never been called for any kind of debate whatsoever. I'm just wondering why the government hasn't done that. Are they really having second thoughts about this? Was it just—how shall I put it?—an effort to make people think they were going to do something, what they thought needed to be done on the public accountability aspect, and as it turns out they really don't want to do anything at all?

I say, as has been talked about here earlier tonight, if you really want to do something about the accountability aspect, then give the Provincial Auditor the necessary resources for him to do his work. Pass the changes to the Audit Act that I proposed on two separate occasions in two separate bills, both last December and in April this year. My amendments to the Audit Act would basically allow the Provincial Auditor the right to follow the money to the transfer agents. Right now, about 60% of the entire budget of Ontario, some \$36 billion to \$40 billion, is money we transfer to hospitals, universities,

school boards and other transfer agents. The Provincial Auditor currently does not have the right to do any kind of value-for-money auditing as far as those organizations are concerned. Yes, those organizations will fight this; I've heard from a few of them. But if you want to bring real accountability to our system, we don't need another committee, we don't need to set up another government agency. Give the power where it should be, and that is to the Provincial Auditor.

Also in the budget bill, the Minister of Finance made a great to-do over the fact that, yes, he was going to allow some amendments to the Audit Act. Has he brought any of those forward? I sincerely question whether or not this government is really committed to a value-for-money system. They talk a great line, but are they really willing to implement something like that? If they do want to implement it, then either pass my Bill 5, amending the Audit Act to allow the auditor to follow the money, or bring forward your own bill. If you want to bring forward your own bill to amend the act, then do it that way. But so far we have seen absolutely nothing.

With that, I will now leave the debate to some of the other members of my caucus.

**Mr David Christopherson (Hamilton West):** I appreciate the opportunity to say a few brief words on third reading, such as it is after it's been time-allocated by the government.

I want to touch on three areas, if time permits. The first is that I want to go on record again as expressing my opposition to the tax credit for private education, not so much because I have concerns about anybody receiving assistance; my concern is where it's going to leave the public education system years down the road. The government is arguing that the reason they've done this now is based on choice and fairness, and I don't think there's too much doubt that eventually—very quickly—we're going to be into the issue of equity. Once that hits, we're talking even hundreds of millions of dollars more that, at the end of the day, has to be diverted from the public education system, because this government is just not putting enough money on the line to cover all the needs that are there.

I for one happen to believe that the only way—the best way, not the only way—for us to continue to make Canada, which is unique in the world—and a lot of people look to us to see how it is that we have so many divergent cultures in one country and manage to hold things together. Albeit it's shaky from time to time, but we do hold it together. I think an important ingredient in that is the public education system.

2020

I worry—I fear—that down the road as more and more people choose to send their children to private education, based in large part on Minister Snobelen's accuracy in saying they were going to create a crisis in the public education system—as long as you create that crisis, people who feel, "I really don't know all that's going on; I'm not going to get active in all that's going on. All I know is that the education my children are receiving is

not the one I received and not the one they're entitled to. If that means I have to forfeit some things in our family to send our child to private school, then that's what I need to do."

That's not the basis upon which the United Nations has chosen Canada—and therefore Ontario, being the largest part of that—five or six times now as the greatest place in the world to live. One of the key ingredients for us has been our public education system. If we continue down this road, I worry that eventually the public system will become where people without means, the poor, go. It's the charity school.

The same with the health care system. That's why I'm so strongly opposed to going to a two-tier health care system. Eventually, as people can afford it and will make sacrifices to do it, they will go to the private system if the public system isn't delivering the health care the people expect and deserve. At the end of the day, if you follow that long enough, what you see is people being prepared to say to themselves, "Well, I'm already paying twice for health, because I have to pay on the private side to give my family what they want, and I'm still paying general taxes to support the public health care system. And the same with education: I'm coughing up money to send my child to a private school, and I'm paying taxes to keep the public system going."

In that environment it doesn't take too long for the average person—good people—to be very susceptible to an argument that won't be direct; it'll be indirect. It'll be almost subliminal. But the message will be, "Vote for us and we'll give you more tax credits, and we can pay for that by cutting back on the public education system." Eventually the average working middle-class family, in my opinion, will be susceptible to that argument, and it won't take too long, going down that slippery slope, until the public system as we know it, both in health care and education, is gone. Once gone, given the international trade agreements Tories are so supportive of, I don't know that we can ever get them back. It's a shame that that would happen on our watch and that our generation let that happen, all for the sake of the almighty buck.

There are two more matters I'd like to raise. One is the issue of the Province of Ontario Savings Office, POSO. It hasn't gotten a lot of attention, because the discussion around the tax credits for private education has pretty much taken the headlines and is the focus of most people's concern in Bill 45. But part of what's in here is selling off POSO. I've raised this before: the government has admitted that they don't even know how much it's worth. When asked by our staff, "What's the value that you're placing on this?" their staff said they hadn't done that. It doesn't cost the province of Ontario anything to keep POSO going. There are billions of dollars that are available for infrastructure investment and other good public investments. They provide an excellent service.

I got a letter not long ago from someone who is a public person, so I won't mention his whole name. Mr M. contacted me and was pointing out that he's been a client for years and years, likes the idea that it is owned by the

people of Ontario and receives excellent service. He says the service charges are among the cheapest out there and that the service is excellent.

Why are we selling this? It's clear. The government needed to be able to point to something and say to their supporters, "That's what we sold. Don't worry, corporate supporters, we haven't given up on privatization yet. Don't worry, it's still alive and well, and here's the example: we offer up POSO and put it on the chopping block." You don't even know what it's worth, it doesn't cost us anything to maintain it, the clients like to have it and it provides billions of dollars for good public use. Why on earth are you selling it? So you can say you privatized something. Even if it hurts the general public, that's not your major concern. It meets your immediate political concern, which is being able to point to more public services that you've privatized. That's all that's going on.

Lastly, I want to raise the fact that, again, it cannot be forgotten that the government is giving away over \$2 billion in corporate tax cuts—\$2 billion. Just last week, I had a delegation here from the Hamilton second level lodging home tenants' task force. Why were they here? Because under this government they not only didn't get \$2 billion in tax breaks, but during the entire economic boom we've seen in North America they didn't receive one penny.

They have what's called a personal needs allowance, which means that people who are in residential care facilities or retirement homes receive \$112 a month for all their personal expenses. After their accommodation is paid for and their food is paid for, what's left, what's designated to them for everything, is \$112 a month. The last time it was increased—quell surprise—it was the NDP that increased it. We did it during the toughest recession since the Depression of the 1930s; and you, while you've been presiding over the biggest economic boom North America has ever seen, not one penny. Not a penny. But you've got \$2 billion in this budget to add to the \$4-billion-plus you've diverted, quite frankly, in previous budgets from public services into private pockets.

Do you know what they're asking for? They're not asking for \$2 billion. They ask for the cost of living over the last 10 years. So they want \$160 a month to be able to buy shampoo, clothes, to wash their clothes, maybe get a haircut, maybe a chocolate bar. Most of them can't afford these things. In the context of things we've talked about here in the last few days, government members ought to be ashamed of the fact that there has not been the will in this government to find even one penny for people who are barely existing out there, and yet you've got \$2 billion for your corporate friends.

**Mr James J. Bradley (St Catharines):** I thought there was 6:55 left, but it's 1:54. I would like to indicate for my constituents who are customers of POSO, the Province of Ontario Savings Office, how disappointed I was that the government had decided to privatize that. If it were something that was losing a lot of money, if it

were something that was really onerous on the government, I could certainly see that happen. But I'm going to tell you that I am very concerned when I see—we have a Province of Ontario Savings Office in St Catharines—the government wanting to turn this over to one of its friends in the private sector. Yes, they might make some money, but it's not as though they're selling a losing proposition. It's a good service out there, and it makes money. It gives people an alternative to the big banks, because the big banks are diminishing their customer service these days. They're shrinking the number of hours where you can actually go and speak to a live teller, and they're increasing their fees. I know my own bank just announced a sweeping number of fee increases and that's most unfortunate for people of lower means. I have a situation where almost yearly I see they shrink the hours back further and further when you can deal with another human being. POSO, the Province of Ontario Savings Office, provided a very good service.

**2030**

The other thing I'm afraid of is that this government is going to make a lot of announcements next week about such things as saying the emergency department at the Hotel-Dieu Grace Hospital is closed. "By the way, we're moving half of the hospital away and it's going to become a glorified walk-in clinic." I hope that doesn't happen. I'm going to fight against that, but I have a feeling that as soon as this House collapses that's exactly what's going to happen.

**The Acting Speaker:** Further debate.

**Mr Bisson:** I want to take the five or six minutes I've got left to debate in order to put a couple of things on the record, because I thought it was interesting when my good friend the education critic for our party was making his comments with regard to this whole voucher system that the government is creating by allowing a tax credit to parents to pull their kids out of public school to private school. He was talking about some comments that were made by the Liberal Party with regard to what they have to say on this particular issue. At that particular time I remember the education critic for the Liberal Party, Mr Kennedy, was very upset at the comments being made by my good friend Mr Marchese and saying, "You should read the whole quote." So I thought it would just be refreshing to read what was said and what was put in the record. It's right here and I will read it. Not a problem.

I just want to start, first of all, out of NOW magazine, May 24, if people want to go back and read it. Its headline says, "Two-faced Grits." That sort of implies that they're speaking out of both sides of the same mouth at the same time, something that the Liberals do on a lot of occasions that I've been kind of getting used to in this House. They like to be on two sides of the same issue at the same time and—

*Interjections.*

**The Acting Speaker:** Order.

**Mr Bisson:** —I'm beginning to understand their position. They really don't have one.

*Interjections.*

**The Acting Speaker:** The Liberal caucus come to order.

**Mr Bisson:** Anyway, I thought it was interesting because in this particular NOW magazine it says:

"As usual, the Liberals want to have it both ways.

"What a mess. Still, Gerard Kennedy, the Grits' education critic, doesn't see a contradiction in the Liberal position.

"He contends that funding for religious schools doesn't necessarily mean less money for the public system. Both can be accommodated, he says."

The question the journalist asked is, how? "'We don't have the answers to that at this time,' says Kennedy."

He's trying to have it both ways. He contends that funding for religious schools doesn't necessarily mean less money for the public system.

Then you've got a letter written by Mr Dalton McGuinty, none other than the leader of the Liberal Party, that was used at a particular hearing on this bill and it was at one of the public hearings. It was in response to a letter written by a constituent on this issue and basically what Mr McGuinty said was—and this was somebody writing in favour of this particular issue of having public dollars fund private education.

**Mr Gilchrist:** What did he say?

**Mr Bisson:** Well, it's interesting. His comment was, "We are not ideologically opposed to this move." I just think to myself, hang on a second. How can you stand in the House one day and rail on the terribleness of this particular idea, stand in the House and say, "If we form the government we're going to get rid of it," but send a letter to a constituent and say, "We're not ideologically opposed to the idea"? I have to think to myself, hmm, is he trying to have it both ways? Is it a question of when they stand up in a public forum, such as this in the House, the Liberals like to be seen as New Democrats, they like to be seen as true to their principles, but when they go away and they have to meet with people individually it's nudge, nudge, wink, wink, "I'm with you"?

We have another article here and this was interesting. This article appears in The Bloor West Villager and this is May 11, 2001. Basically the issue was on the whole question of the voucher system being created by the Tories, and it says the Liberal Party says "it's an issue of fairness." Speaking of this very idea of creating tax credits—

**Mr Gerretsen:** You're against fairness, are you?

**Mr Bisson:** There we go. The Liberals say the NDP is against fairness. No, we're opposed to the idea of using public dollars to fund private education. You're in favour of fairness. You're with the Tories. You believe as they do. Why don't you come clean? We have all kinds of quotes from papers, letters from constituents—

*Interjections.*

**The Acting Speaker:** Order. Member for Kingston and the Islands.

**Mr Bisson:** —who have you on the same side of this issue as the Tories. So please come clean. Would you tell the people of Ontario what you really think and will you

please at least be consistent when it comes to the positions you take?

I don't like it, but I can accept that the Tories want to do this. I don't accept it, but I understand it's what they want to do. I can accept the position of our caucus, the NDP, who say, "We're opposed." What I can't accept is you guys trying to say one thing publicly but another thing privately.

*Interjections.*

**Mr Bisson:** What's the matter with the Liberals? Is there something in their water tonight?

The Bloor West Villager, May 11, 2001, says, "'The Liberals say it's an issue of fairness. Private schools do have to be funded but in a way that doesn't hurt public schools,' Kennedy said." How do you do that? How do you fund a private system with public dollars and, at the same time, not take money out of the public system? How can that be? Voodoo economics? I don't know what it is, but it's certainly a Liberal position.

**Mr Gerretsen:** Will you take the pay raise?

**Mr Bisson:** On the issue of the pay increase, it's the same. The Liberals say, "We're willing to allow the bill to pass." They've helped the government make it happen, and then they say, "We shouldn't take a pay increase if it's over 2%." I take it that's what they're saying, that they're not going to be taking anything over 2%. So we know where they are.

My point is simply this: as a New Democrat I will stand in this House and I will vote against this measure because I believe that it is an ideological issue. I believe ideologically we should not be using public dollars to fund private education and I will stand proudly as a New Democrat and vote against this motion.

As for the Liberal Party, I don't know. Do you guys really mean what you say? When you vote against, does it mean at the end that you really don't believe in it? Will you repeal it should you become the government? I put on the record, no. If they form the next government, the Liberals will never repeal this measure, mark my words.

**Mr Dominic Agostino (Hamilton East):** On a point of order, Mr Speaker: I ask consent to give the member a minute to explain the rationale behind voting against a pay increase but, like greedy individuals at the trough, taking that money in the middle of the night if there is a pay increase.

**The Acting Speaker:** Is there consent? No.

**Mr John O'Toole (Durham):** It's my pleasure as parliamentary assistant to the Minister of Finance to stand on third reading of Bill 45, the Responsible Choices for Growth and Accountability Act (2001 Budget), 2001.

As has been pointed out before, for the first time in nearly 100 years, an Ontario government has presented three consecutive balanced budgets. It's a remarkable achievement. It's also a very definite reflection on the discipline within this government.

Governing is about identifying priorities and making choices. In the 1980s and 1990s, the Liberals and NDP clearly made the wrong choices. They were increasing government spending and it was spiralling out of control.

They failed to create a climate that would lead to economic prosperity to ensure the highest quality of life for the people of Ontario.

The responsible choices the Harris government has made, and will continue to make, will guarantee a better tomorrow for us and our children. The actions of this government demonstrate that we will implement the policies needed to ensure economic and social prosperity well into the 21st century.

Earlier today the Premier spoke on the 21-step plan to create this kind of province and the prosperity of the 21st century. The government will enable Ontario to continue to reduce the net provincial debt and the burden of interest costs on taxpayers, both now and in the future.

The laudable principles of this budget are spelled out quite clearly under the leadership of Finance Minister James Flaherty: fiscal responsibility, accountability and sustainable economic growth. I add one more to that: strong leadership that you can trust.

Cutting taxes: since the Progressive Conservative government began cutting taxes, tax revenues have actually increased by \$15 billion, 822,000 net new jobs have been created and business investments have increased by 66%.

The 2001 budget removes 75,000 low-income earners from Ontario's tax rolls, for a total of 735,000 not paying Ontario tax but continuing to pay federal tax.

#### 2040

The budget proposes to eliminate the personal income tax surtax for the 340,000 hardworking middle-income earners. Ninety-five per cent of taxpayers would see a cut of at least 20%, fulfilling our 1999 Blueprint election commitment. Building growth and supporting our quality of life are very important commitments of this government.

Ontario's economy is expected to grow in the 2% to 3% range this year and 3% to 3.6% in the year 2002.

Corporate income tax will be fully implemented by the year 2005, and I'll speak more of that in a moment.

A combined corporate tax rate would be lower than any of the 50 American states, our trading partners.

Ontario's high quality of life will be maintained through transportation and environmental initiatives, totalling \$500 million.

Funding to the Ministry of the Environment is to be increased by \$25 million, an important priority for this government.

Through Ontario's Edge, the government has sent a powerful job-creating message to Ontario's business. With Ontario's Edge, a package of tax reduction initiatives and transportation and environmental infrastructure projects have been committed. Ontario's Edge includes:

Tax cuts for corporations, which will give this province the lowest combined corporate income tax rate in the United States and Canada when completed and fully implemented in 2005. That's being competitive. That's being prepared for the global economy.

The elimination of the job-killing capital tax by removing it on the first \$5 million of taxable capital. During the public hearings, that was one of the disincentives

that we found and heard about from many small and medium-sized businesses. For instance, a small commercial real estate establishment is still paying capital tax on the vacant property.

A thorough review of all tax incentives to ensure that they are indeed working effectively.

Building on Ontario's high quality of life, including addressing the gridlock that I and many of my constituents experience on our highways and roadways.

Ontario's Edge will ensure that businesses thrive and grow, attract new and more companies to the province and continue to support the high quality of life that the people of Ontario have come to expect.

On the topic of value for taxpayers' dollars, organizations such as hospitals and schools and municipalities will be required to balance their budgets each year—a brand new experience; a brand new discipline for many.

The Public Sector Accountability Act, Bill 46, will require all major public sector organizations to publicly report their annual plans and whether they have been met or failed to have been met.

Health care spending will increase by \$1.2 billion this year, a 5.4% increase over last year, the highest spending ever in the province of Ontario. We are calling on our partner, the federal government, to provide 50% of all future health care increases. You would know that the Canada Health Act mandates many of these initiatives and then fails to deliver the money; they leave it to the taxpayers of Ontario to deliver the service.

We ask all doctors, nurses, nurse practitioners, patients and administrators to help us to identify the best way to deliver and sustain a quality health care system in Ontario. Respectfully, the province of Nova Scotia is dealing with it; the province of British Columbia is dealing with it; finally, the federal Liberal government is dealing with it. Prime Minister Jean Chrétien has asked Roy Romanow, former Premier of Nova Scotia, to take a summit and take time to review the sustainability of health care for all Canadians—a system we've certainly grown up with.

Investing in our young people:

As a parent with five children, this is absolutely a clear commitment that I support—\$114 million more for the early years program; \$193 million total spending this year.

Three hundred and sixty million dollars more for public education this year. There are those who will say it will never be enough.

Equity for parents who choose independent schools: a partial tax credit for independent school tuition over a five-year period, starting next year, up to a maximum of \$3,500, based on tuition costs only of up to and not exceeding \$7,000. First, on the public hearings on that bill, we did hear from many sectors. I've always been fond of reporting what I hear from those committee hearings, and I heard it in Ottawa, London, St Catharines and Toronto, and I can tell you one of the more impressive presentations was the B'nai Brith Canada submission on June 14. One of their observations was, and it takes some

notice here: "Proponents of public education today appear to be more interested in fighting to preserve an inequitable status quo than fighting to create equity for children in the classroom." Clearly there are those in the system who have not capitulated, who still think we can do better, and I believe that this education tax credit is just one of the tools that will help our children and our families make choices.

Two hundred and ninety-three million dollars more for colleges and universities are being implemented by 2003-04, the year the double cohort—that's grade 12 and OAC graduating at the same time from high school—will be arriving on our campuses at the same time. I believe it's close to \$2 billion, creating 73,000 new spaces in our colleges and universities system.

I'm so pleased because Minister Flaherty announced in the budget, with the support of course of cabinet, a \$60-million investment in the Ontario Institute of Technology, with the leadership of Gary Polonsky, a new university to be located on the campus of Durham College. What this will mean to the 500,000 people living in Durham and to their families and their children and their future—it's a serious piece of infrastructure that's been needed for years. I can't think of a more fitting investment in our young people.

In conclusion, since 1995 the province has grown by almost 25%. Ontario's economic statistics clearly indicate that we are on the right track. It took 10 years to get into the jam. Under the Liberals and the NDP the debt had doubled. We were spending \$1 million an hour.

The job is not done. Clearly this government is on the right track to create a strong economy with fiscal responsibility and discipline and the quality of life that we've come to expect in this great province of Ontario. So I am pleased to endorse Bill 45 and support our Minister Flaherty as well as the Premier of this province.

**The Acting Speaker:** Mr Hardeman has moved third reading of Bill 45. Is it the pleasure of the House that the motion carry?

All those in favour say "aye."

All those opposed say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

Pursuant to standing order 28(h), I've received a request that the vote on Bill 45, An Act to implement measures contained in the 2001 Budget and to amend various statutes, be deferred until June 27, 2001. So be it.

2050

# AMBULANCE SERVICES COLLECTIVE BARGAINING ACT, 2001

## LOI DE 2001

# SUR LA NÉGOCIATION COLLECTIVE DANS LES SERVICES D'AMBULANCE

Mr Stockwell moved third reading of the following bill:

Bill 58, An Act to ensure the provision of essential ambulance services in the event of a strike or lock-out of ambulance workers / *Projet de loi 58, Loi visant à assurer la fourniture des services d'ambulance essentiels dans l'éventualité d'une grève ou d'un lock-out de préposés aux services d'ambulance.*

**Hon Chris Stockwell (Minister of Labour):** I will not be sharing my time. I only caution the members opposite to give them that heads-up, particularly because we're in rotation now. They should know that I don't think we'll be using our full 30 minutes. I want to give the Liberals ample opportunity to be prepared. You don't have 30 minutes, so if you have a speaker coming, it would probably be best to have them here.

**Mr James J. Bradley (St Catharines):** I'll take your time if you don't want it.

**Hon Mr Stockwell:** I can't imagine who would be speaking for the Liberals, member for St Catharines, but whoever it would be, you want to give them a little bit of a heads-up.

**Mr John O'Toole (Durham):** Fix your shirt.

**Hon Mr Stockwell:** Oops. Thank you so much. Mr Marchese, you're not leaving?

**Mr Rosario Marchese (Trinity-Spadina):** You go right ahead.

**Hon Mr Stockwell:** Oh, I'm going to. There's no doubt about that.

This is Bill 58, in the street vernacular I guess the ambulance bill, the paramedics bill.

**Mr Bradley:** The anti-labour bill.

**Hon Mr Stockwell:** It's a labour bill, yes, Mr Bradley. It's a bill that will do a few things. I just want to walk through them quickly because we've been around this post a few times. I'm almost certain I know what the opposition is going to say. I can't imagine they've changed their tune.

I just want to talk about a couple of amendments. There was a lot of consternation in this place last week with respect to the arbitration process in the bill. There were three separate provisions within the arbitration process. We removed two of them at the request of the opposition and the parties we spoke to, in true consultation. We heard their concerns at committee. You might not know that we removed two portions—

**Mr Dominic Agostino (Hamilton East):** When did you consult? You met with them the day before.

**Hon Mr Stockwell:** Do you mind, member from Hamilton East? I'm trying to brief your member. We removed two portions of that arbitration process, (a) and (c), from the arbitration process in the bill, so (b) was left. That was revised because of the concerns we heard about. They felt the arbitration process was too heavy-handed.

**Mr Agostino:** No.

**Hon Mr Stockwell:** They didn't think that?

**Mr Agostino:** When did you meet with them?

**Hon Mr Stockwell:** I think the member for Hamilton East is trying to have a conversation, but it's difficult because I can't. It's one-dimensional here, one way.

*Interjection.*

**Hon Mr Stockwell:** You suggest we don't consult. We consulted.

**Mr Agostino:** When? The day before the committee meeting.

**Hon Mr Stockwell:** The member for Hamilton East is truly a broken record. He's said this about seven times. I've heard you. I'm capable of hearing what you say. I know people say things to you six or seven times before you understand them. You don't have to; when you say it the first time, I understand.

**The Acting Speaker (Mr Bert Johnson):** Would you address your comments through the Chair, please.

**Hon Mr Stockwell:** Through the Chair to you, member for Hamilton East, I understand things the first time you say them, so you don't have to say things six times. I realize probably through your lifetime you've had things repeated often to you. Life goes on. It's just once for me, OK? Thank you.

That was the first part we consulted on. The second part was with respect to CUPE. CUPE had a concern about the paramedics involved in a union who didn't have what they considered a reasonable right to strike. They were going to be sent to the arbitration process—member for St Catharines, I'm doing this for your benefit—and then all those union members would have to go to arbitration as well. CUPE, in their press release, said this wasn't fair, wasn't right. So as part of the consultation, we said, "OK, if those paramedics would be referred to arbitration, we will sever the bargaining unit and allow the other individuals who aren't paramedics to go on strike like they have in the past."

Let's be clear. When we had consultations, we met, we discussed, we found agreement on a couple of issues. I was very upset, though, at committee—this is frustrating—to find that the members opposite, who railed on at length about these two specific parts of the bill, opposed those very amendments. It was shocking. I was dumbfounded. There I was, putting forward two amendments that would change the bill, that they were asking me to change, that they suggested should be changed—they said, "This needs to be done. You should amend the bill." There we had two amendments at committee that did just that, and our left-wing, socialist friend from Niagara, Mr Kormos, who often finds capitalists hiding under rocks, and Mr Agostino and Ms McLeod didn't vote in favour of them.

It was very, very disturbing. You bring a bill in, you do the whole democracy thing and do the second reading, you hear all these concerns across the floor, you listen, you want to hear what their problems are—I'm not expecting them to vote in favour of the bill. I understand that maybe the bill still doesn't sit well with them. But you end up saying, "OK, you've raised a couple of really good points. I think we should amend the bill to fix that," and you go to the trouble of getting those amendments written up and tabled at the committee. Then—can you believe it?—they voted against, not the bill, but the very

amendments they were actually putting forward not 72 hours earlier. The amendments carried.

**Mr John Gerretsen (Kingston and the Islands):** What are you worried about?

**Hon Mr Stockwell:** The member for Kingston asks what I'm worried about—at the table, I might add, which is out of order. I guess my concern is this: I feel for you. There you are saying one thing in the House, and then at committee voting a completely different way. You see, that's why you guys are always accused of flip-flopping. It's hurtful for me to have to say that. It bothers me. Here's a very clear example. I know you don't like it when people say you flip-flop. Who would? That really means you have two positions on the same issue. If they're talking to one group of people they'll say, "Oh, we agree with that," and if they're talking to another group of people it's, "We disagree with that." Nobody like to be accused of that. Liberals don't, I know. They get that antsy face. They get all screwed up in the face when you say "flip-flop."

Here's an example. The member for St Catharines knows this is a good example, because he's a very good parliamentarian who's been here for quite some time and he knows. He's seen people like this, where they say one thing in the House and then they go to committee and the amendment is put forward and they vote against the very thing they were talking about in the House. You know what you call those guys, right? Just look to your left, because there's one of those guys. And look over there, in the blue shirt with white collar. There's another one of them.

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I'm not a guy.

**Hon Mr Stockwell:** "Guys" is a generic term. "Gals." Is that better?

*Interjection.*

**Hon Mr Stockwell:** OK. I didn't want to say "gals." It's "guys." There's another one over there. See that gentleman there from Niagara? He's another one of them.

They hate that flip-flop tag they've been hammered with. They got hammered in election campaigns on it. You remember the big sandal that followed them around, the flip-flop?

*Interjection.*

**Hon Mr Stockwell:** There's one of the cackles from the back. I don't think she heard the speech from the beginning, so I might have to start again for her benefit. I'm briefing the member for St Catharines because he didn't know what happened at committee. Let me help you. I'll just go over it quickly again. What happened at committee was this: in the House your members were arguing that two parts of Bill 58 were too heavy-handed, the arbitration part, and the fact that if you did declare paramedics an essential service that part of the union would also have to go to arbitration. We amended the bill so that didn't happen and we also amended the bill to withdraw the two offending chapters of the arbitration process.

**Mr Steve Gilchrist (Scarborough East):** She's not listening. She doesn't understand.

**Hon Mr Stockwell:** She can hear me; I know she can.

The arbitration process got withdrawn. I was very, very surprised, because there I was at committee, and when the amendments came up to be voted on, gosh, they didn't vote in favour of those amendments. They said one thing in the House, and then when it came to committee they voted against those things they said in the House. That's how we got to the whole flip-flop thing.

2100

**Mr Gerretsen:** They weren't saying that. They were saying they were different.

**Hon Mr Stockwell:** No, no, they're not different.

**Mr Gerretsen:** Check the wording.

**Hon Mr Stockwell:** Listen, if you want to say the arbitration one was different, well, there may have been some changes, but the other amendment that severed the bargaining unit was identical.

*Interjections.*

**Hon Mr Stockwell:** I've never known a group to have three positions on the same issue. Now they've got three positions on this issue. Holy smokes. This is awful. This is like nailing Jell-O to the wall.

*Interjections.*

**The Acting Speaker:** Order. I think the time is supposed to be divided. If you're all going to take the time, I'll have to put it together and take it off everyone. I would like there to be just one speaker. We'll do the clock with whoever has the floor. The other ones will give their attention, and then, when it's their turn, we'll have them stand up and put the clock on them. Is that OK?

**Hon Mr Stockwell:** Thank you, Mr Speaker.

Imagine that. The one that severed the bargaining units was it; that was the way they wanted it. CUPE issued a press release that called for just that. They said you couldn't have a bargaining unit of outside workers who cut the lawn or collected garbage—they should not be forced to go to arbitration but should be allowed to collectively bargain. That wasn't fair so you'd have to sever the bargaining unit. That's exactly what they called for, that's exactly what the amendment did, and you guys voted against it. Even my friend from Niagara, the great defender of the brothers and sisters when he's in opposition, voted against it.

That was the frustration I'm feeling today for them. I'm frustrated for them. I would like not to accuse them of flip-flopping. I would like not to do that. Then you could have a good, healthy debate about something. They'll have a position and we'll have a position and we'll have a good debate. Normally what happens is that we have a position and they have a position and then they have another position and then they take another position. It's hard to have a debate, because every time you get close to a position, they change their position. Here's another example. So we were frustrated. I was frustrated. I'm sure CUPE was, because they called for it in their press release.

That's why I think this whole consultation thing with opposition is kind of bogus. You know why it's kind of bogus? Because you do the consultation stuff and you put the amendments in the way they want and they still vote against it. Do you think they really want to have consultations? Do you think they really want to have to make a decision? Do you think they really want to have a policy? I think all they want is the ability to say no or yes, depending on who they talk to. That's what I think they want to do.

You know, I've been in politics a long time, but I never thought I'd see the day where I'd find a whole series of people who call themselves a party who all think that way, each and every one of them. They all think the same way. They all think it's OK to have two or three positions on the same issue. It's amazing. They've made a party out of it. They've got tax credits. You give money to them and you can fund them and they have campaign signs. They're under the slogan of Liberals, but really what it means is this is a party that can have all the positions you want on any one issue. That's how they do it. That's a concern.

*Interjections.*

**Hon Mr Stockwell:** I think I've touched a raw nerve here, because I just saw the member turn around and give them the marching orders on how to heckle after this is done. Don't deny you did it either. I caught that. I appreciate it. I saw that.

*Interjections.*

**Hon Mr Stockwell:** I saw it. Thank you, Mr Speaker. I saw them turn around and say, "Here's the new message on heckling. Let's try this approach. We've got to get him off this flip-flop thing, because he's starting to bug us." That's what happened. We had fun, I guess, in that committee. Then we discussed it; we went through with it.

When I talked about the bill on second reading, I had a rather lengthy dissertation.

*Interjections.*

**Hon Mr Stockwell:** Obviously you're in a very sour mood tonight, very sour.

*Interjection.*

**Hon Mr Stockwell:** You are. You're particularly sour tonight. There seems to be an edge to your heckling. There's an edge to your heckling.

*Interjection.*

**Hon Mr Stockwell:** Now I'm getting a lecture from the member for Hamilton East. This bill's a good bill. I've spoken about it at length. I've talked about the necessity of the bill, to create a situation where paramedics can't go on strike. I know it's a good bill. I debated the bill. I went to committee on the bill.

The amendments that were offered by the Liberals were truly embarrassing, to be quite honest. Let me tell you about one of the amendments the member for Hamilton East moved. This is the in-depth logic they've used in their caucus to come up with this wonderful amendment. His amendment at committee was that before you negotiate, before you give notice to negotiate,

before you begin any sort of negotiations, before you get an essential services agreement, the paramedics should be forced to go to binding arbitration. That was an amendment. Can you believe this? He didn't even want the paramedics in the province of Ontario to negotiate.

**Mr Gerretsen:** Speak on the bill.

**Hon Mr Stockwell:** I'm speaking about the committee.

**Mr Gerretsen:** Speak on the bill.

**Hon Mr Stockwell:** I'm speaking about what happened at the committee.

He didn't even want them to negotiate. He didn't want them to get an essential services agreement. His amendment was that they should be forced to binding arbitration right away. Six months before the contract expires, the amendment said, they should go to binding arbitration. I pointed this out to him: who in their right mind would think that a bargaining process would be that six months before your collective agreement has expired everyone should go to binding arbitration? What kind of lunacy is this? This is what the amendment said, I say to the member from Kingston. You should have read it.

**Mr Gilchrist:** He's not the labour critic. Don't tell us he's the labour critic.

**The Acting Speaker:** Member for Scarborough East, come to order.

**Hon Mr Stockwell:** Member from Kingston, I was equally astounded. I was just like you; I was dumbfounded. There isn't any way he could actually mean this.

*Interjection.*

**Hon Mr Stockwell:** His suggestion is that I'm dumb. Not a witty comeback, I will admit, but a comeback nonetheless. He moved that amendment: six months before the contract expires, everybody goes to binding arbitration.

You see, this is the difficulty. You understand what happens at these committee hearings: you get to committee, you put amendments out there that they agree with, that they've asked for in the House, and they vote against them. Then they bring in amendments they haven't given any thought to. The embarrassing part is that you actually put "Liberal" at the top and called it an amendment. You couldn't have spent 25 seconds reviewing it, because anybody would have told you this was an insane amendment. That's what the amendment said: before collective bargaining begins, before the contract expires, six months before an essential services agreement is negotiated, everybody goes to binding arbitration. So now you know, Mr Speaker.

Was there frustration? I was getting a little hot under the collar last week, I admit.

**Interjection:** You?

2110

**Hon Mr Stockwell:** I was. But, you know, I decided they didn't even really look into the bill. They really didn't even want to understand that. They didn't really want to give reasonable amendments. They just wanted to throw these amendments on the table and say, "I made

eight amendments." They didn't care whether any of the amendments made any sense; they were just amendments. That's the frustration I had with respect to this bill.

The other part of the frustration was there wasn't really a good understanding of the bill. They didn't understand it. You had to spend the first part of the committee time explaining that a reasonable right to strike didn't mean just paramedics; it meant the whole bargaining unit. You had to spend an enormous amount of time explaining to them. Seventy-five per cent of the union members would not necessarily be paramedics, but the argument was coming back, "Well, where are you going to find 75% in this place that could have the right to strike if they're paramedics?"

"Well, they're not paramedics."

"Well, then why don't they go to arbitration?"

It was an incredible discussion because they didn't understand the bill, and that's often how the discussion took place.

**Mr Gerretsen:** Arrogance, arrogance.

**Hon Mr Stockwell:** No. I'm just relaying to you what happened at the meeting.

I've learned something about the opposition here, too. They don't mind shooting the arrows, but they really don't like catching them. That's another thing I've discovered. They're really interested in criticizing, have you noticed, but the minute you turn around and start criticizing their amendments or their different positions, they all get so touchy. It's all so terrible. "This is not political debate; you're attacking us." You get these huffy little fits going on across the floor. I find this kind of interesting. If you're so prepared to give it, then you'd better be prepared to accept it once in a while.

With the greatest of respect, the amendments you moved at the committee were not well researched, were not well written and didn't really accomplish what you wanted them to accomplish. Really, if you took those amendments out and showed them to the parties you were purporting to represent, they would have said, "This is ridiculous. We don't want to go to binding arbitration six months before our contract comes out."

**Mr Gerretsen:** We represent all the people.

**Hon Mr Stockwell:** Not true. The member from Kingston says he represents all the people all the time. I'll tell you, you're probably right, and you'll probably tell everybody anything they want any time. It matters not whether you agree. It matters not whether it's a principle, position or policy of your party, "What do you want to hear?" is the first question of a Liberal who knocks on the door in the election:

"How are you doing? What's an issue that you find affecting you?"

"Education."

"What's your opinion?"

"Funny, me too."

That's Liberal campaigning. I guess this is why I decided this debate on third reading needed to lighten up to some degree.

I took very personally a lot of these issues they brought up. The member Hamilton East got up and railed on about the terrible arbitration process. I listened to him and said, "You know, he's very upset about this, very upset." I went back to the Ministry of Labour and said, "Look, a few members on the other side of the House"—the member from Niagara was one, my friend the member for Hamilton West, whom I have a lot of respect for, commented on the arbitration process, and a few others. I went back to the Ministry of Labour and said, "Look, the members opposite are very, very upset about the arbitration process as it fits in this bill. Why don't we try to change this to see if we can satisfy some of their concerns?" They said, "What are their big concerns?" I said, "Their big concerns are with part (a) and part (c)." There are three parts. "Can we accomplish a proper arbitration process if we take out part (a) and part (c) and just leave in part (b)?" The ministry officials came back and said, "Yes, I think you can." I said, "Then, let's bring an amendment into the committee that takes out part (a) and part (c), because of the issues brought up opposite, and leave in part (b)." That's it; that's all the amendment said. Ask the member for Hamilton East. He was there.

*Interjection.*

**Hon Mr Stockwell:** No, that's wrong again: (a) and (c) got taken out; (b) was left in. I don't want to correct you again, but that's exactly what it was. So we just left (b) in. You know how depressing it is when you listen to their concerns—the member for Hamilton East always says, "You don't listen," and he goes on and on. So we listened. We bring back an amendment to try to deal with his concerns on it. You know how frustrating it is to say, "OK, we listened to what you said in the House. You had problems with the arbitration process. (a) and (c) were the most problematic. Let's take (a) and (c) out and just leave (b) in," and they vote against it? You've got to wonder, what's the point of listening and bringing in true amendments? I'm not saying you had to vote for the bill. You could still find the bill unacceptable; I accept that. But what's the matter with voting for the amendment, using your mind and voting for an amendment? You could have voted for the amendment and still voted against the bill, because the amendment did—

*Interjection.*

**Hon Mr Stockwell:** Don't try and change the subject and wiggle around. The fact of the matter is this: you could have voted for the amendment. I'm suspicious now of exactly what was their motivation. Because the member also said in this House—I think it was the member for St Catharines, and also the member for Hamilton West, for whom I have great deal of respect—"You can't go to an arbitration process, collectively decide they don't have a reasonable right to strike and then force grass cutters and garbage men and so on to go to binding arbitration. They should be severed. Let the paramedics go to binding arbitration and allow those others to go on strike like they normally would."

I heard what you said and I went back to the Ministry of Labour and said, "The opposition seems to make sense

on this one. That's a reasonable argument. They made a good argument. I don't understand why we would force outside workers to binding arbitration when we never have in the past. Can we somehow create a situation where we can sever those unions, let the paramedics go to arbitration and let the outside workers go on strike like they normally would in the past?" The Ministry of Labour officials came back and said, "Yes, we can. It's going to take five or six amendments to the bill, but we can accomplish that if you pass these five or six amendments." I said, "Great."

So there's two issues that I listened to the opposition on, heard their concerns and came back with amendments that satisfied those issues that you brought to the table. Imagine my surprise, imagine my concern, my consternation, when I actually saw the amendments moved and they voted against them—the very amendments they were asking for the week before.

**Mr Gerretsen:** They were different.

**Hon Mr Stockwell:** They weren't different. Member for Kingston, I'm doing my best not to challenge your knowledge of this bill and challenge your knowledge of these amendments, because you're an honourable member. I know you to be an honourable member. But I'm very suspicious of how much knowledge you have of the bill or the amendments. I think it's limited at best.

So here I stand in my place today, and I could have gone through the bill, which I did on second reading. I made the defence for it. You don't agree; I appreciate that. I chose to make the arguments today on the kind of bogus consultation stuff that they talk about over there. I chose to make it on how when you do listen and bring in amendments, it doesn't matter. They're not voting for it anyway. Why? I'm not sure.

**Mr Gilchrist:** They're not sure.

**Hon Mr Stockwell:** That came back from the back. I don't think they're sure either. I wanted also to point out that they had half a dozen amendments. Three or four of them were terrible—terrible, terrible amendments. They made no sense. They were badly drafted, badly written and didn't accomplish what they purported they wanted to accomplish. That was the frustration I had.

In conclusion, let me tell you there are supporters of the bill out there. They're the municipalities; the municipalities want this bill. They don't want paramedics to go strike. We wouldn't have brought this bill in had it not been for the city of Toronto in the summer of 1999. In the summer of 1999, in the city of Toronto, there was a near strike of the city of Toronto outside workers. I was told personally and it was said publicly by the president of that union that they were going to take the paramedics out on strike with them. Never had that been done before; never had an essential service agreement not been reached.

At that time the suggestion to me at the committee was, "You don't understand the game," and my position at the time was, "Look, this isn't a game. Paramedics going on strike is life and death. If you have unions in the province of Ontario that will threaten, individually, col-

lectively, publicly and in the media that they would take paramedics out on strike, we have no choice as a government. We must declare them an essential service.”

I argued about why they wanted to go to binding arbitration. We all know why they wanted to go to arbitration: to get a better settlement. End of discussion. That's why they want to go to binding arbitration—that simple. Paramedics get bigger settlements if they go to binding arbitration.

**Mr Gilles Bisson (Timmins-James Bay):** What's wrong with that?

**Hon Mr Stockwell:** Nothing, except that if we can create a system that allows for a meaningful right to strike, what's wrong with that? Nothing. It keeps the decision-making in the hands of the elected officials at the local municipality. This is a great bill. It's a good bill. It's a fair bill. It's a reasonable bill. I'm proud of this bill, and I'll tell you municipalities are thankful that this government will pass this bill.

2120

**Mr Agostino:** I'm certainly pleased to join the debate. First of all, it's interesting that with such a serious issue the Minister of Labour would think it's important enough that he would spend 28 out of 30 minutes providing entertainment. I would hope every paramedic across the province gets a chance to read those comments tomorrow in Hansard to see how seriously the minister and this government have taken this issue, a very serious issue that impacts a lot of people—impacts health care in this province, impacts labour relations, impacts our dealing with paramedics. It is a disgraceful performance on such a serious issue. Let me tell that minister that once he loses the keys to that limo he will also lose that arrogance that he expressed here tonight, and it won't be too soon for this government and this province.

This is a serious issue. It affects a lot of people, and when we saw this government dealing with this issue we saw the government time-allocate this whole thing at committee, with no public hearings. The consultation was a joke. The minister met the day before it came to committee—that was the extent of the consultation. What an insult to the professionalism of paramedics who are essential to what we do in this province of Ontario.

At the committee, some of the paramedics were upset they didn't get a chance to speak. One of the members from the committee, from Scarborough Centre, wanted to clear the room. She felt threatened by those paramedics. She felt threatened. She wanted the police in the room. I ask her, and I ask all of you, how many of your constituents, if they've had a heart attack or an accident and are at the back of the ambulance, feel threatened by the paramedics? That was a disgrace. The way this government is dealing with paramedics is an insult to their professionalism, is an insult to their value in Ontario. Simply, they are an essential service. They're no different than firefighters, police officers and nurses across this province. They do a life-and-death service for us. The intervention of paramedics at a car accident can mean the difference between someone living and dying. The intervention of a

paramedic for someone who suffered a heart attack can make a difference between living and dying.

We on this side of the House believe they're essential. We believe we treat paramedics with dignity and respect. This bill doesn't do that. Can anyone across the room on the government side of the House believe in their heart of hearts that paramedics are not as essential to Ontarians as police officers and firefighters? Stand up and tell us that. Stand up and tell us they don't deserve the same treatment when it comes to collective bargaining and their contracts. Have the courage to say that they're not as essential. Have the courage to say to Ontarians that you don't believe that the value of paramedics is as important as the value of nurses, firefighters and police officers.

This bill is a sham because it kind of gives them the right to strike and it kind of doesn't. It kind of gives them arbitration and it kind of doesn't. It talks about replacement workers. Think about this for a second. You have highly trained, highly skilled paramedics. They may make it that some of them can go on strike and they may bring in some replacement workers. I presume they'll get a bus driver, maybe, or a truck driver to drive that ambulance.

You don't understand—the government does not understand—that paramedics work as a team, that they're essential to the life-saving service they provide in Ontario. To be treated with the contempt that this government has is nothing short of insulting to their dignity, their respect and their value across the province of Ontario.

Let me make it clear for the government: Dalton McGuinty and the Ontario Liberals believe paramedics are an essential service. Let me make it clear so the government has no misunderstanding about this: once we form the next government of Ontario, in two years, we will declare paramedics an essential service and we'll give them the same rights as police officers, firefighters and nurses across Ontario. We will restore the dignity that you have stripped away from them. We will not simply pay lip service to paramedics; we will treat them the way they should be treated.

What this is going to do is drive paramedics out of the province of Ontario. There's already a shortage here. We have to be competitive with working conditions and wages, and we're not competitive with working conditions and wages for paramedics, not only in Canada but in the United States. There will be a drain of paramedics and instead of trying to find ways of bringing more paramedics into the province, with better working conditions, better treatment, what do you do to them? You continue your attack on them, the way that for the last six years you've attacked working men and women, labour, folks who are hard-working Ontarians. You've extended that same back of the hand now to the paramedics.

It's symptomatic of a bigger problem in health care that you don't seem to understand. This is going to create a crisis with paramedics in Ontario, unthinkable situations where some of them are going to be out on strike

and some of their colleagues are going to be out working, and somehow they have to work together through this.

We're talking about paramedics here. The government does not seem to understand that it is different. As important as other workers across the province are—if you work in a plant, in a factory of some type, in an institution, your role and your work are important in this province. This government already allows scab labour in those situations. That is wrong. But now, in a situation where you'll pit paramedics against paramedics on something as essential as the life-saving service they provide, this is nothing short of criminal and irresponsible.

This is wrong. The way you've approached this is fundamentally wrong. It is wrong the way you've shut out the paramedics from giving you any input. Who did the minister consult on this? He met with a few representatives the day before the committee hearings—the day before—so he could say he consulted. Is that consultation? Consultation would have been, before he brought it in, to take a draft of this bill, go out there, talk to Ontarians, talk to paramedics, talk to people in the health care field, and come back with a consensus of what they've developed. You didn't do any of that, and paramedics were forced to take some drastic measures.

They're not by nature people who are storming the barricades. They're not by nature radicals. They're folks who are out there committed, dedicated and providing a life-saving service. They were forced to be outside the Premier's office in protest. They were forced into a committee room and not allowed to speak and threatened to have the police called on them because one of the members of the government felt threatened by these evil paramedics who happened to express an opinion different from the government here today.

**Mrs McLeod:** A security risk.

**Mr Agostino:** They were, as my colleague from Thunder Bay says, a security risk. They were a real security risk. What is a security risk in this province is not the paramedics but the actions of this government in treating paramedics.

Again, I ask this government, explain to the people of Ontario whether you believe that their role is as important as other essential services. Explain to Ontarians how you can sit here and talk in warm and fuzzy terms, in feel-good language about paramedics but then not treat them with the respect and dignity they deserve. Explain that to Ontarians. Explain to Ontarians how you're going to set up a situation now where you may allow some paramedics to go out on strike and some not, and you will allow paramedics to cross picket lines and bring in replacement workers. Explain to Ontarians how that is helpful to our health care system—the same way you can explain to Ontarians the mess you've made in CCACs across Ontario, in home care. Explain to Ontarians the mess you've made in emergency care and hospital care in Ontario. Explain to Ontarians who must wait hours and hours in ambulances because they can't get into an emergency room the mess you've made there.

This government was warned on many other issues. They were warned about Walkerton and they chose to ignore those warnings. We now see the fallout from that. We see now this government that was too arrogant to listen to anyone else, too arrogant to listen to the professionals, too arrogant to listen to the medical officer of health for Ontario—and seven people paid with their lives because of your arrogance and unwillingness to listen. I suggest that we're creating a similar situation here with paramedics in Ontario. This is a threat to public safety when it comes to their health care, what you're doing here with this bill. It is a threat to paramedics' ability to save lives, to look after people. You don't seem to understand that. You've been warned again. You've been warned by the paramedics. You've been warned by health care professionals across Ontario that what you're doing is wrong. But you chose to ignore those warnings. I hope to God we don't end up with tragedies with regard to this issue here where paramedics cannot properly or effectively respond to an emergency because of the situation this government has put them in.

Ontarians are willing to forgive and forget a lot of things and at times a government's mistakes. Ontarians aren't willing to forget neglect that costs people's lives, as happened in Walkerton. This government had a chance to do this right. They blew it. In two years Dalton McGuinty and the Liberals will fix this up. We will reverse this legislation. We'll make paramedics an essential service. We will treat paramedics with the dignity and respect they deserve. We will treat them like firefighters, like police officers, like nurses. In two years we will undo the damage that this government has done to the dignity and respect and effectiveness of paramedics across Ontario.

2130

**Mr Peter Kormos (Niagara Centre):** This is a time allocation motion, it's 9:35 and it's live at Queen's Park. Folks should understand that we're going to be sitting until midnight tonight. We're going to be here until midnight and we're going to be making the government keep a quorum. We're going to ring the bells if we have to. They're going to be straggling in in various states of dishevelment as the night goes on.

**Interjection:** Enthusiasm.

**Mr Kormos:** I hope enthusiasm. It's their responsibility. They want midnight sittings? They've got them, to the hour, midnight, and we'll do it again tomorrow night. You know what? Monday's a statutory holiday but Tuesday isn't. We'll be back Tuesday. I'm fine by that, because there are some things that have to be talked about here in the Legislature.

**Mr Bradley:** Are we coming back next week?

**Mr Kormos:** We're coming back next week, Mr Bradley. Don't put the Buick away for the summer. You keep it licensed and insured.

I listened to the Minister of Labour. This is time allocation. What that means is that the government doesn't want third reading debate on this. What it also meant was that the government didn't want meaningful committee

hearings, and there weren't. What that meant was that the committee hearing consisted of a time-allocated, incredibly brief process where by 4 o'clock every amendment had been deemed to have been moved, had to be voted on, couldn't even be read into the record; it was referred to only by its number. There was no debate around the bill on clause-by-clause and there was a lot of concern. I listened carefully to the Minister of Labour's speech and there has never been a more meaningful indictment of late night sittings than that speech delivered by the Minister of Labour this evening.

The Minister of Labour persists in inaccuracies around the impact of the bill and around the motivation behind the government amendments, and the incredible inaccuracy regarding consultation. It's interesting because at the committee hearings yesterday there was row after row paramedics anxious to have an opportunity to be heard, and they were denied that opportunity. Yes, it's quite right, there was a government member—I don't know what riding she's from—Ms Mushinski was going, "Oh, call the police. We need security. There are paramedics here." June 14: the paramedics were sitting there with their stethoscopes and their little black bags with tongue depressors in them and stuff like that, and bandages and gauze—the paramedic stuff they wear. They were sitting there. There were women and men paramedics, and there were old paramedics and young paramedics, and there were short paramedics and tall paramedics, and skinny ones and not so skinny ones, and Ms Mushinski was saying, "Call the police."

The Minister of Labour was sitting up there. I congratulated him. I congratulated the Minister of Labour because back on June 14 the Minister of Labour had stood in his place in this assembly on a point of privilege and protested the assault on what he called his right to come in and out of the building because there were paramedics in the building.

I've got the Hansard right here. The Minister of Labour was frightened by these paramedics in the building. Well, the paramedics were frightened, too. They were frightened that Bill 58 was going to take away any meaningful right to strike and impose upon them an arbitration system that is unprecedented in terms of its one-sidedness, an arbitration regime that is truly arbitrary and lacks any semblance of natural justice, fairness or equity, any of those hallmarks of arbitration that have been developed over the course of what now has been centuries of arbitration.

See, the paramedics were scared. They were scared that they were going to be treated not just as second-class, but as third-class citizens, and they were scared because they hadn't been given an opportunity to speak to anybody in the government. They had tried. They had tried to speak with the Premier. They had tried to speak with the Minister of Labour. They had tried to speak with Tory backbenchers, but Tory backbenchers wouldn't meet with them. Tory backbenchers wouldn't even meet with paramedics who were their own constituents. I know that to be the case because I talked to those paramedics

who were denied opportunities, who were denied appointments with their own MPPs—Tory backbenchers.

The Minister of Labour stood up in this House on June 14 and he was scared. He had to be ushered in and out of the Legislature for fear of being recognized. Why didn't he just put a bag over his head? Afraid, my butt. He was afraid of being confronted by the truth of the matter.

He was afraid of being exposed. Notwithstanding his persistence in this Legislature and outside that he had consulted, he was afraid of being exposed by those paramedics who were prepared to confront him right here on the floor of this hallway and say, "No, you never consulted us. You didn't consult us, you didn't consult our leadership"; not OPSEU, the Ontario Public Service Employees' Union, by way of Leah Casselman, nor CUPE, the Canadian Union of Public Employees, by way of either Sid Ryan or their secretary-treasurer, Brian O'Keefe. That's what the Minister of Labour was afraid of. He was afraid of being exposed for having been less than accurate in his statements that he had consulted with paramedics.

Then he comes to this Legislature and says he was afraid to come in and out of the Legislature for fear of being recognized. Well, he wasn't afraid in the committee room. After the weekend, I congratulated him on having overcome his phobia of paramedics. Whatever therapy or medication he had utilized seemed to have worked, because there he was sitting in a room with them, being as cocky and arrogant as ever and as disdainful of those paramedics as ever. He wasn't about to join opposition members who pleaded with the committee to let those paramedics speak. For a guy who says he's afraid—"Oh, I was afraid"—he was pretty darn provocative, pretty darn cocky, pretty arrogant, pretty disdainful of those women and men—paramedics—sitting in that committee room.

I've learned since that before the day was over, he invited a couple of paramedics to sit down with him. You see, what had happened was, the day before the committee hearings there had been a meeting with Brian O'Keefe of CUPE, some paramedics and the Minister of Labour. The only way those paramedics got that meeting was because they had the courage to bring their grievance to the hallways of this Legislature, where they engaged in a peaceful, lawful protest, where I joined them as a New Democrat, as a member of this caucus, with pride and with the full support of my caucus mates.

These working women and men, these professional public servants, these people who save lives, who protect our welfare on a daily basis under some less-than-perfect circumstances—you know that, don't you, Speaker?—these people knew they were being brushed aside in Harris's privatization agenda, his anti-labour agenda and his overall attack and assault on health care in general. Had it not been for their persistence and their commitment—and I congratulate those paramedics who sat in front of the Premier's office. I congratulate them, I applaud them, I applaud their tenacity, I applaud their courage, I applaud their commitment to their profession and

their commitment to solidarity with their sisters and brothers, because there would have been no meeting—not that the meeting was particularly fruitful or productive.

The Minister of Labour has this peculiar habit of thinking he can out-talk everybody, that the baffle-gab will somehow work, that he can razzle-dazzle and people will walk away saying, “OK, I guess you must be right.” But, you see, the paramedics weren’t about to be fooled by the cheap talk of the Minister of Labour, any more than we should be fooled by his cheap talk here in this Legislature, here in this chamber tonight.

2140

It is absurd, it is ridiculous, it is downright repugnant for the Minister of Labour to suggest that his amendments, especially the amendment which breaks up collective bargaining units, not just for the purpose of negotiation—listen, please—but for ever and ever—that’s one of the immediate concerns. I saw the government amendment and I thought, “My goodness.” I consulted with the paramedics and their leadership, with Sid Ryan and Brian O’Keefe, who were in that committee room, and then I confirmed with government sources what the impact of that amendment was supposed to be. Yes, it was supposed to break up collective bargaining units for ever and ever. That in no way, shape or form responds to the legitimate concern about the one-sided phony arbitration scheme that the Minister of Labour and this government are forcing these paramedics into.

The fact is that a whole lot of other public sector workers ought to be concerned too. Much reference has been made to police, firefighters, nurses, any number of essential services that submit to arbitration in lieu of the right to strike. Their fear ought to be that the arbitration scheme in Bill 58 is going to be the new standard, the new benchmark for arbitration for public sector workers here in Mike Harris’s Ontario. It’s called “arbitration” but it doesn’t resemble arbitration in the slightest way, shape or form.

I wish the Minister of Labour had the courage to acknowledge that his scheme—there was a time when I thought he merely hadn’t read the legislation. There was a time when I was prepared to give the Minister of Labour the benefit of the doubt by suggesting that he had merely failed to read the legislation or that he failed to understand the incredible attack on arbitration principles and history and precedent by virtue of the arbitration sections in this bill, and perhaps failed to understand arbitration law in Ontario, hadn’t read the Arbitration Act of Ontario dating back to its consolidation in 1991. Some of my colleagues are very familiar with that Arbitration Act of 1991, which updated the Arbitration Act in Ontario, harmonized it with other jurisdictions and legislated some sacrosanct principles, beginning with *Scott v. Avery* on down.

Let’s take a look at some of the things this bill continues to say with respect to the arbitration—so-called arbitration; we’d better be very careful about how we say that—that’s going to be imposed on paramedics. The bill

makes it quite clear that the Arbitration Act, 1991, does not apply to arbitration proceedings under this act. Not a single section of the Arbitration Act, 1991, applies to arbitrations that paramedics are forced into. Let’s understand that right off the top.

Let’s understand that notwithstanding the withdrawal of paragraphs (a) and (c), this Minister of Labour very much wants to circumvent the recent Ontario Court of Appeal ruling regarding the government’s desire to hand-pick arbitrators very specifically not from traditional panels and/or arbitrators who have an inherent bias. The act, notwithstanding the repeal of the paragraphs before and after, very much retains that power and very much retains the legislative exclusion, the legislative circumvention of that Ontario Court of Appeal ruling, which was yet another court decision in a series of court decisions where this government has lost big time, lost perpetually, lost to the embarrassment of its Attorneys General, past and present, and respective ministers of the crown.

Let’s understand that the bill still says, in the most dramatic way and in a way that is, oh, so contrary to anybody’s understanding of natural justice and fairness and equity, that the arbitrator shall be chosen by the government and—listen, please; this is so important; this is critical; this is the crux of the whole matter—that “No application shall be made, taken or heard for judicial review of or to question the appointment of an arbitrator or replacement arbitrator ... or to review, prohibit or restrain any of the arbitration proceedings.” The government can select, by virtue of this bill, an arbitrator whose bias is so apparent, so obvious. As Howard Hampton has said so many times, Stockwell Day could be the appointed arbitrator, and paramedics, who are going to be subjected to Stockwell Day’s ruling, have no recourse to judicial review.

This is an incredible attack on some very basic rights that developed in Ontario and Canadian law. Some of you will recall *Rand*, among others, and the introduction of judicial review as a statutory right, as a protection against bias, real or perceived, and in the case of paramedics it’s going to be a real bias.

New Democrats oppose this legislation. New Democrats defy this Minister of Labour or any member of that government caucus to identify a single paramedic who ever once, in the history of paramedics and ambulance services in this province, anywhere in this province, put a single Ontarian at risk as a result of a labour dispute—it never happened. I tell you, the Minister of Labour is creating confrontations, is imposing a regime, is challenging those paramedics in such a way that it will generate an instability that we’ve never witnessed before in the delivery of ambulance services in the province of Ontario.

The Minister of Labour should be ashamed, not just for this legislation, but for his efforts to sugar-coat it, and for his efforts day after day to try to suggest in the most inaccurate of ways that he was in any way responsive to paramedics or their unions. Indeed, the day the committee hearings, as I’m told, Mr Minister of Labour had a

couple of paramedics join him in his office. When the president of their union, Sid Ryan, went into that office and said, "No, you don't meet my members without meeting me," the Minister of Labour threw him out. He was afraid: "Oh, I'm afraid." Sid Ryan's just a short little guy, and as capable a union leader as there is, let me tell you. I'm proud of him as his members are. I'm proud of his leadership of CUPE.

So, lo and behold, yesterday what happens? Whether the medication kicked in or whether physiotherapy had been performed during the course of another session, yesterday the Minister of Labour invited Sid Ryan along with Leah Casselman and Buzz Hargrove to his office. Now there are three of them: Sid, Buzz and Leah all together. It's a conspiracy. It's not just a trio; it's a conspiracy. But no, yesterday the Minister of Labour invited Leah, Buzz and Sid to his office, where he purported to lecture them on workers' plans to engage in direct action.

Let me tell you, under this government workers are fighting harder than they ever have been. They're fighting to retain their right to unionize. They're fighting for their lives and their workplaces as this government, under the same Minister of Labour, strips away occupational health and safety legislation that saves lives and as a result of which repealing there will be more injuries and deaths. When I raise in the legislature that in 1999 workplace deaths rose to 200 and the year after that, the year 2000-01, they rose again to 243, the Minister of Labour says, "Oh, those are just silly statistics." More working men and women dying at their jobs, at their job sites, are silly statistics—what an embarrassment for a Minister of Labour. If there was ever a Minister of Labour who ought to resign, it's this one. If there was ever a Minister of Labour who betrayed his obligation to working people of this province, it's this one. If there was ever a Minister of Labour who failed to present the facts in any mode of accuracy it was this one. New Democrats oppose this bill.

2150

**Mrs McLeod:** This legislation has been a farce from its beginning to what will be its sorry end in passage within the next day. The minister seemed tonight to find entertainment in his own particular performance, in the exercise of his supposedly satirical, sarcastic wit. Unfortunately, it's difficult to "lighten up" as the Minister has suggested, because as my colleague from Hamilton East has said so eloquently, the end of this farce has very serious consequences for public safety and for the public health of the people of this province.

It's difficult to lighten up when you spend a little bit of time with the paramedics, a group of people who have not been politically involved or particularly politically sensitive, I think it's fair to say. I think they would acknowledge that. They didn't know this bill was about to hit them until it was virtually an accomplished fact—the bill was before the House. The paramedics came and said, "Why weren't we consulted? This bill affects us. We're one of the major parties here." The Ontario municipalities had been consulted, at least the official associa-

tion of municipalities had supposedly been consulted, one of the parties to what will be this farcical collective bargaining situation. So the paramedics understandably said, "Why not us? We're the other major party. Why was there no consultation with us?"

I'll tell you: the paramedics of this province, over the last few weeks, have become very sensitized to the political process in this province. The Minister of Labour tonight talks about a democratic process. I wish the paramedics were here. I did turn to the gallery hoping that maybe one of the paramedics would be here so that they could maybe in the hallway tell this Minister of Labour what they think of the democratic process in the province of Ontario, because these paramedics are frustrated, they're angry, they feel as though they have been shut out and, most importantly, they feel as if they have been demeaned, devalued as health care professionals. These are valued health care professionals. They deserved not only consultation; they deserved a reasonable piece of collective bargaining legislation that would allow them to reach agreement with their employers or to have a fair resolution-of-dispute process so that they could indeed carry out the essential work they're doing. Instead, what we've got is the farce that this government has offered to them.

Consultation? Democracy? The Minister of Labour told us repeatedly in committee, when we tried to find out who he had consulted with because it certainly hasn't been the paramedics, "It was an internal group. There were internal committees." I'm the health critic. That's why I'm participating in the discussion of this bill, because I believe it is a health bill as much as it is a labour bill. I said, "What were the views of the Ministry of Health on this piece of legislation?" Believe it or not, there is no recorded view of the Ministry of Health. They seem to have participated in these informal working consultations, these internal consultations, but there is no written record.

I do understand why this Harris government has an increasing sensitivity about their vulnerability when there is any written record of any of their internal discussions. They don't want the public to know what kinds of things they're talking about in their backrooms. But on this piece of legislation, surely there was a role for the Ministry of Health to express this view, the Ministry of Health view, about what this legislation will do to health and to public safety. There was a representative of the Ministry of Health in the audience at the committee hearings. We asked him to come forward; the Minister asked him to come forward. He identified himself as being the project manager for the Ministry of Health on the air ambulance project. Ironically, air ambulance is not at this point affected by this particular bill. The air ambulance paramedics at this point in time are still crown employees; they come under the crown employees act. If that wasn't a pretty clear indication that the government that wants to privatize everything that moves out there, every public service, is about to privatize the air ambulance—because they had the project manager for the air

ambulance project there finding out how this piece of legislation will soon affect air ambulance paramedics because they soon will no longer be crown employees.

Unfortunately, the gentleman who was there from the Ministry of Health was there to find out how air ambulance paramedics would be affected once they are privatized and he wasn't there to present a view of the Ministry of Health as to the impact of this legislation on public health or safety. So, once again, a complete and total farce when it comes to consultations.

Then we had a farce with the amendment process. Now, the minister said he met with the paramedics—finally, the day before the committee was going into clause-by-clause hearings on his bill. The day before, he finally met with the paramedics, and only after they had taken extreme lengths to make their voice heard.

He came in with some amendments which he had the gall to say had the agreement of the paramedics who were filling those committee rooms. When the paramedics, in the only way they could because they'd been given no voice, said, "No, we don't agree with these amendments," they of course had to leave and the committee had to recess, because you wouldn't actually want to find out that the paramedics did not agree. What the minister said in no way described—I was about to use unparliamentary language, Mr Speaker. The words the Minister of Labour used to say that there was agreement from the paramedics to these amendments in no way described the feelings of the paramedics who were present.

The minister tonight has been very critical of the amendments we did bring forward. He says "the parties to this legislation," uses the term "parties." There was only one other party, as far as we know, that maybe was involved. I've talked to municipal representatives in my community and they had no idea what this legislation was or what it would do or how it would impact them, so I'm not sure which municipalities the government consulted with. But he says "the parties," so lets assume there was at least one party he consulted.

He said tonight, "The parties would be amazed if they could see the amendments we brought forward. They'd never agree with those." I'll tell you one party that would agree. The agreements we brought forward were drafted by legal counsel to the paramedics in an attempt to make this very bad piece of legislation at least a little more palatable to them. At the last hour, they were trying to get a piece of legislation that might work for them, but we had that total farce.

We had a farce in terms of this government talking about why they have to bring in the legislation. The minister tonight said, as he has said in committee, "We're going to give paramedics an essential service agreement. They can go on strike but they have to reach an essential service agreement first." He's not prepared to make them an essential service. He said, "We brought in an amendment that would allow paramedics to be severed from the rest of the workers so the paramedics wouldn't be able to go on strike but the rest of the workers would." You heard him say that tonight.

I'm still trying to figure out, from a purely logical perspective, if the paramedics are such an essential service that they have to be severed off from the other workers because it isn't possible for the paramedics to go on strike, why would you not simply declare paramedics an essential service?

The Minister of Labour has also said that in most parts of the province, where there are only paramedics bargaining, they probably wouldn't be able to go on strike because there aren't enough of them to be in any way declared non-essential and allowed to go on strike, so 100% of them would be part of an essential services agreement. So why aren't they an essential service? Why wasn't this government prepared to bite the bullet and recognize that paramedics are an essential service instead of bringing forward this farcical protection, as they claim, of the paramedics' right to strike. There is no meaningful right to strike here. If there, were the government wouldn't make it a further farce by suggesting that when you can find maybe a small handful of paramedics who can go on strike, you would allow the employer to use replacement workers—again a farce. Who is going to replace trained professional paramedics? You can't go out and hire a truck driver, put them behind the wheel of an ambulance, and call them a paramedic. There is no such thing as a replacement worker. There is no meaningful right to strike in this legislation.

Sadly, the minister says, "Why are you arguing about this? We had essential services agreement legislation in Toronto that worked for 30 years." Yet the minister says again tonight that the reason he had to bring in this legislation was because of the breakdown in that very process in the city of Toronto two years ago. So what he's doing is giving the entire province a process which he says broke down and necessitated bringing in this legislation.

So it's a farce in that there's no consultation, a farce in that there is no meaningful right to strike, and a complete farce in terms of the arbitration process in here. When the minister says he made things better, you have to ask, how did it get so bad in the first place? How is it possible that any Minister of Labour could propose to totally control an arbitration process in which he would be free to choose, without recourse to the courts, any arbitrator, whether they had any experience or not. He took out that one clause, but he still is not bound in any way in terms of the kind of arbitrator he appoints or the kind of process. We will never support an arbitration process that gives this government or this minister or any Minister of Labour in this government total control over the arbitration process, because that is not a fair dispute resolution process.

We are opposed to this legislation. We are opposed to the farce of the process. We are opposed to the legislation because it doesn't provide either a meaningful right to strike or a fair dispute resolution process. We are particularly opposed to the way in which our government—this government, not mine; the government that has sway in Ontario right now—would treat our most valued health care workers as people less deserving than

nurses or police or firefighters, whose essential services are clearly recognized and supported through a fair dispute resolution process. That's all we called for, fairness and treating our paramedics with respect and dignity, as other essential health care workers are.

2200

**Mr Tony Martin (Sault Ste Marie):** I appreciate the opportunity to have a few minutes tonight to put some thoughts on the record regarding this legislation that is going to have a very far-reaching and wide-ranging effect on some workers who I think all of us have nothing but tremendous respect for across this province. The work they do touches all of us and our family members on a daily basis in a very serious and important way. Anything we do regarding their work conditions, the way we support them, should be of utmost concern to everybody across this province, most particularly to those of us who have been charged with giving leadership here, who have been given responsibility to give leadership in this place as we act together as the public conscience to decide how we will support and deliver the best possible public services to the people we represent and serve in Ontario.

To listen to the other side on this bill, as in so many other instances, you would think there was a major crisis out there. It is the wont of this government, whether it's real or unreal, to present everything delivered by government in this province as in crisis. The only problem in this instance is that there is a crisis, but it's not the one this government is presenting, not the one this government has designed this legislation to correct. It's one this government is trying to play a smoke-and-mirrors game around. In doing that, they're going to harm, I think irrevocably, a group of people who have over a long period of time given of themselves in a way that is consistently and constantly above and beyond, who put themselves in harm's way, who present themselves in circumstances and situations regarding which many people in this province are appreciative that it's not them having to respond the way these workers do.

In the few minutes I have, I'm going to present the view of this legislation that the workers in this area of professional expertise have. Then I'm going to talk for a few minutes about the real problem this government should be confronting and dealing with, which is the lack of funding and resources for ambulance services across this province and some of the changes they've made that affect communities that now have responsibility for delivering ambulance services, for actually providing those services. That shortage of funding exists across the board in so many areas. If they dealt with that, we wouldn't have to deal with the kind of legislation we have in front of us tonight.

We have here legislation that will take us down the road of diminishing the value we put on the work of these very valuable professionals. We will see them, as we see with teachers and nurses now, leaving the profession in great numbers and heading to other places—the United States of America—where they and their work will be valued in a way that reflects what they do.

Let me read a letter by way of shedding some light. This is from a paramedic, Roberta Scott, in the Toronto area. She says:

"As a level 3 professional paramedic, I am in my 15th year of service with Toronto Ambulance. I am writing to you with some serious concerns about the recent introduction of a bill that will unquestionably have a very negative impact on paramedics across Ontario in regards to labour and contract negotiations. The Ambulance Services Collective Bargaining Act, 2001, introduced on first reading May 17th from the Minister of Labour, Chris Stockwell, intends to guarantee that paramedics become an 'essential service,' therefore taking our right to strike away.

"First and foremost, as a professional health care worker and a patient advocate, I do believe that essential service for paramedics is the right thing to do in terms of public safety issues. As it has been long recognized among our emergency services counterparts, police and fire departments, the emergency and life-saving services that we all provide should not be at risk of being withheld under any circumstances." As my colleague from Niagara said a few minutes ago, not in my history have I ever heard of them doing that in fact. "Having said this, I would like to comment and express my concerns on the way in which our 'right to strike' is being withdrawn. As the bill stands now, paramedics have been left with no alternative ability or leverage by which to resolve any potential contractual disputes with our employer. I again point to police and fire services, who gave up their ability to strike, and in a fair exchange, were given means to binding arbitration written into their respective acts. Why have the paramedics of this province not been afforded the same recognition and respect?" I ask the Minister of Labour the same question.

"The job of a paramedic is one of very high stress, with constantly increasing workloads (especially with the horrendous RDC and CCB problems in our hospitals). We work under a physician's licence and perform numerous invasive medical directives. Our responsibility is to make life and death decisions and perform life-saving medical interventions every day. We work under very physically and psychologically demanding and dangerous conditions. Our on the job injury risk is very high, so is our risk of 'burnout.' Paramedics have also never been afforded the same recognition of our 'high risk/public safety oriented job' that police and fire have. The other two emergency services workers have an early retirement '25 years and out' package. Paramedics do not.

"I have just mentioned a lot of the challenges of our profession, and yet I must also tell you what a very rewarding and gratifying career it is for myself and my colleagues. We have the ability every day that we come to work, to make a huge difference in the lives of many people who are counting on us in their time of greatest need. It is a career we can be very proud of. For 15 years, I have had the privilege of working with a group of professionals who are dedicated, caring and compassionate.

They are excellent at what they do and do it because they truly care about their patients.”

Having said that, why would this government be moving in such a unilateral way to diminish and devalue? That’s what this is about, so they can ultimately, I suppose, like they’re doing with everything else, turn this over to the private sector as well, where the only cost the private sector can manage in a way that brings things down is to reduce the cost of labour.

Let me just talk to you, for the few minutes I have left, about some of the issues being faced by communities as they try to deliver ambulance services, which will indicate to you what this bill is really all about.

This is from Algoma, the emergency medical services land ambulance operation.

“The transfer of land ambulance responsibilities from the Ministry of Health to consolidated municipal services managers has occurred across the province between January 1, 2000, and January 1, 2001. Simultaneous with this transfer, there have been several new obligations imposed by the province related to educational requirements of paramedics, the length of paramedic educational training course, response time standards and use of air ambulance. These decisions have created an environment in which this board cannot attract or retain adequate staff to meet existing service levels.

“On the financial front, the ministry has imposed arbitrary financial caps on base budgets which do not reflect delivery costs. The funding shortfall linked to this arbitrary cap and including the eastern division day crew proposal is estimated at \$142,000 in 2001. At this point that shortfall estimate is based on verbal discussions,” and we will be appealing this.

2210

“The ministry has also taken the position that any alterations of the scheduling regime which existed prior to the transfer date will be considered enhancements. They have verbally indicated that all enhancement requests will be considered in the early fall and be likely assessed related to occurrence volume increases. To date, the board has approved an increase in service by adding a regularly scheduled day crew to handle non-emergency transfers between Elliot Lake/Blind River and Sault Ste Marie/Sudbury. This new level of service, although approved as part of the board’s 2001 budget, was not implemented pending Ministry of Health approval of the full budget. Since May 10 we have been unable to complete 18 non-emergency transfers due to staffing vacancies. The cost of day service to reduce this problem included in above shortfall of \$142,000.”

Just an example, Mr Speaker, and you know, because you represent this area as well. This isn’t about improving services. This is trying to shoehorn a program as essential as ambulance services into a reduced budget. That’s what it is about.

**Mr Bradley:** I feel compelled to speak after the performance of the Minister of Labour earlier this evening, where he was chastising anybody and everybody and putting on an entertaining performance—entertaining, at

least, for members of the government caucus. But here we are dealing with a very serious piece of legislation which, I think, is robbing people of their right to unfettered arbitration when the right to strike is taken away. You have one of two choices. You either say to people, “You have the right to strike; that is, to withdraw your services,” or, “You don’t have the right to withdraw your services. You don’t have the right to strike.”

Paramedics in this province recognize that they provide an essential service. They’re prepared to be declared an essential service. Not everybody in this province is prepared to do that. In return, they would like the opportunity to have unfettered arbitration so they’re not left in a bill which leaves them halfway in a strike and halfway out of a strike with so-called replacement workers able to come in and do their jobs or keeping a few people on the job. They say, “Look, we understand we are an essential service.” Anybody who knows anything about the work paramedics do in this province recognizes they are an essential service. But this is part of the government’s whole approach to ground ambulances in this province.

The member for Thunder Bay noted that it appears they want to move to privatize air ambulance services—because to these people anything that’s a public service is not good—just as they want to privatize those who are now delivering a service testing people for driver purposes. What they did was create a crisis there. They made sure there was a crisis: people had to wait a long period of time, there wasn’t enough staff, not enough financial resources to meet the new requirements under licensing, and then people are prepared to accept anything. By gosh, we know how exasperating it was, and, of course, then they want to privatize that service, which we are opposed to.

We have this situation with paramedics in the province. They’ve tinkered with the bill a little bit and said, “See, we listened to somebody.” The tinkering really did not meet the requirements of those who are looking for justice under a piece of legislation of this kind.

It reminds me of their approach to the CCACs in this province: they just bulldoze over people. CCACs are the community care access centres that you have in your community and I have in my community. They’re drastically underfunded at this time. They’re having to cut back services, and you have to wait longer and longer for those services in the field of medical care. We have another instance in medical care where a crisis is being created with the CCACs. People are now calling our constituency offices—as they will with this, as this bill passes—and saying, “We cannot get the service.” But what the government knows is that people will become angry with the community care access centres and forget it is underfunding by the provincial government that is causing the problem. That is what’s causing the problem.

As they bounce people out of hospitals quicker and sicker, these people need care in a home setting or a nursing home setting. Often those nursing homes are not equipped to deal with the very heavy care of patients immediately coming out of hospitals. Those people are

often transported to those nursing homes or to their own homes using the services of our paramedics. We recognize that in the service paramedics provide, they're often the first people on the scene, and that the difference between life and death can be the medical procedures that are performed by paramedics on the way to hospital or at the scene of an accident or of a serious illness at a home. They have two positive effects—one is to save lives, and the second is to prevent a situation from getting worse and being debilitating for a lifetime.

We have a doctor shortage in our part of the province, as you probably do in your part of the province, a dire shortage of family physicians. People can't get those physicians. Some of the services they get are from the paramedics themselves. Often people can't get the services of a physician because physicians are overloaded with patients, and they end up calling an ambulance trying to go to the hospital. Often the response time isn't what people would like. Why is that? Again, underfunding of the service in years gone by. Our municipality, the regional municipality of Niagara, has now taken over and is trying to improve that service but, again, at a cost to the local municipality. People will write a letter to me and say, "Isn't it awful. If only we got rid of those politicians on these councils, we'd have all this money and my taxes wouldn't go up." Of course, that's not the reason. The reason is that the provincial government has downloaded responsibility for land ambulances on to the backs of municipalities, which now have to assume a very onerous cost.

I have people in the field of health care who call about Visudyne, which is a treatment for people who are suffering from macular degeneration. They have to pay large amounts—what would it be, Lyn, \$1,800 to \$2,000 per treatment? It has to come out of their own pockets. This is in a province that claims to provide universal health care to people. Meanwhile, in the background of all this—and a lot of people have forgotten this—we have a provincial government that in this budget is giving a gift to the corporate sector, to corporations in this province, of \$2.2 billion in tax cuts. If you look at the proportion of taxes paid in Ontario by the corporate sector today, compared to what it was even a dozen years ago, as a proportion it's way down, and individuals are paying far more.

Dr Richard Schabas, the former medical officer of health of Ontario, at the Walkerton inquiry on Monday described an unbelievable situation where the Premier said he didn't want to hear from him about the matter of downloading health care services to the local level. When Dr Schabas started to speak to the Premier, despite the fact somebody told him the Premier didn't want to hear from him, and warned him of the dire circumstances that could result from the downloading of health care services to the local municipality, the Premier just turned away and ignored him. I think one can draw the conclusion that as a result we have a circumstance such as Walkerton, a considerable risk to the people in the province. Dr Schabas was kind enough, committed enough and con-

cerned enough to try to tell the Premier of this province, who was being as bullheaded as he usually is in these situations, what he should be doing, what would be good for the province and what is essential for the people of the province, and the Premier simply ignored him. That is most unfortunate.

In this whole field of health care, then, we see the government creating a crisis, as it did in education. Why is that crisis being created? It's being created so people will someday, in exasperation, accept what they shouldn't accept, which they normally would not accept, and that is the privatization of many health care services and, in addition to that, a two-tier health care system where the wealthiest people in this province are able to buy services over and above those which are available to the general public.

There's concern about this happening in ambulance services in this province, particularly as the member for Thunder Bay tells me now, with the move toward privatization, a set-up for privatization.

So we have yet another piece of legislation today. The member for Sudbury, the member for Thunder Bay and you, Speaker, from Manitoulin, have talked about a great concern about the two-tier health care system as it relates to people who have to travel to get medical care. So I think we're very justified in the opposition in opposing this legislation once again.

**The Deputy Speaker (Mr Michael A. Brown):** By order of the House, the debate is now ended. I am required now to place the question.

Mr Stockwell has moved Bill 58. Shall the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

I have a letter from the chief government whip which asks that we defer this vote until deferred votes tomorrow afternoon.

2220

BROWNFIELDS STATUTE LAW  
AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT DES LOIS  
EN CE QUI CONCERNE  
LES FRICHES CONTAMINÉES

Resuming the debate adjourned on June 5, 2001, on the motion for second reading of Bill 56, An Act to encourage the revitalization of contaminated land and to make other amendments relating to environmental matters / Projet de loi 56, Loi visant à encourager la revitalisation des terrains contaminés et apportant d'autres modifications se rapportant à des questions environnementales.

**The Deputy Speaker (Mr Michael A. Brown):** Further debate? The member for Nickel Belt.

**Ms Shelley Martel (Nickel Belt):** Thank you, Mr Speaker, there's nowhere else I'd rather be on a Tuesday night at 10:30.

Let me begin by saying there are probably three points I want to make with respect to Bill 56. Let me begin by making clear that I believe the purpose of the bill has been outlined by the minister as being an act that is supposed to kick-start environmental cleanup and renewal of brownfields, and that will then develop healthier, safe and cleaner communities.

The minister made it very clear in his opening remarks that brownfields exist in many communities. He said, and I'm quoting from page 1074, "Brownfields exist in many communities throughout Ontario, often on lands that were previously home to chemical plants, dry cleaning stores, gas stations, railway yards or factories" etc. He made it really clear that there are many communities that have brownfields. I want you to remember this because it will become very important when I talk about who pays for development.

The intention, as I see it, is to set out both by legislation and by regulation how brownfields will be cleaned up in both a responsible and an environmentally sound manner. At the same time, the purpose of the bill is also still to allow the Ministry of the Environment to intervene where there are emergency environmental issues or to take some action against polluters. So there are a number of intentions that are outlined in the bill. The government is going to set rules around cleanup of sites, rules around liability with respect to future environmental orders, rules regarding the planning process to try and expedite some of this cleanup, rules regarding how the planning process will be put in place and some rules as well that are supposed to set out how municipalities can use tax relief as an incentive to private owners and developers who want to take on this remedial work on brownfields.

The point really is that the government wants to put in place some rules around tax relief, because this same government has absolutely no intention whatsoever of giving a single cent to the many communities that have brownfields to actually try and redevelop those properties, first to clean up those properties and then to try and redevelop them. The important question, which the government has yet to deal with, is, where is the money going to come from? If this brownfields redevelopment is a priority of the government—as I read through the comments of the minister, you would have to take from his comments that it allegedly is a priority for this government—why is it that the government has no provision anywhere in the bill, nor is there anything noted with respect to regulations, that the government intends to provide one red cent to municipalities to allow these cleanups to occur?

The government has been very specific. The government has allocated money for cleanup only for the Toronto waterfront project. That's it. The government has been very clear about that. That's how far their com-

mitment to brownfields remediation work goes: Toronto waterfront development, period, point final.

It was also very clear, as I read through the minister's comments and the comments of the Conservative backbench, that there doesn't seem to be any way for municipalities to access SuperBuild to allow them access to some financial resources to deal with the cleanup of contaminated sites in their communities.

So we've got a government that's only prepared to do something limited in the way of the Toronto waterfront, nothing with respect to SuperBuild, and all of the onus and the obligation seems to fall on municipalities, which are now expected to provide some form of temporary tax relief to private owners as an incentive to get them to do the cleanup. The government's argument or rationale in the minister's statement is that if municipalities do provide that temporary tax relief, they will get that money back, because as the property is cleaned up and redeveloped, then the property value will increase and property taxes will increase, and so the municipality will recover any of the money it would have lost with the initial temporary tax relief.

That's all well and good if there is a private owner involved who actually owns a site that needs to be cleaned up, because I guess that would act as an incentive for a private owner to do just that. But I think many of these sites have actually come into the possession of municipalities through tax default. The owner is gone. He's disappeared and left the problem behind, left the site behind. The municipality has inherited that problem.

Where is the municipality going to get the money to do the cleanup to make that property attractive so that a private developer will purchase it and, hopefully, build housing or something else on the site. I submit to you that municipalities don't have the luxury of having some extra cash around to clean up some of these sites. You have to remember that this is the same government that downloaded the cost of public transit, ambulance services, public health, assessment services, child care, libraries and highways running through communities, all on to the backs of municipalities and property taxpayers in those municipalities. That download of services has not been revenue-neutral. It's not revenue-neutral in my community and it's not revenue-neutral in the city of Toronto. There are many other members in this House who could speak tonight to the fact that this download of government services on to municipalities has been anything but revenue-neutral.

Now the government comes forward with a bill to help clean up contaminated sites in our communities and the government wants to download the cost of doing that, too, on to municipalities and on to the backs of property taxpayers in our communities. I say to the government, you folks had \$2.3 billion to give away as a tax break to your wealthy corporate friends in our most recent budget, and you come forward with this bill that is allegedly a priority, to make our communities healthier and to promote economic development in our communities, and you don't have one red cent to help communities do just

that. Where's your priority when it comes to healthier, environmentally sound communities?

I say that by the mere fact that the government doesn't offer one red cent to municipalities to undertake this work, the priority is clear. It isn't a priority to clean up our communities. It isn't a priority of this government to deal with these contaminated sites. I regret that. But it must be said that if the government doesn't want to ante up some money to allow municipalities to make this happen, then it's not going to happen in the majority of cases, because many municipalities that have been left with these sites because the owners who contaminated the sites have disappeared, will not have funds available to deal with this cleanup.

2230

The other problem is that the Ministry of the Environment is given many powers under this legislation, all well and good because if you're going to clean up these sites you want to make sure that's done in an environmentally sound manner. The problem is—and we have seen this over and over again during the course of this government—that the Ministry of the Environment has suffered significant hits in terms of its operating budget and its staff. This is a ministry that has lost 700 people, most of them inspectors, the very same people you would need to be part of the process of the remedial work to clean up these contaminated sites. I think we are going to find ourselves in a position of work going forward and then not enough inspectors from the Ministry of the Environment to ensure that that remedial work is undertaken in an environmentally sound manner.

We set up a false hope among people out in our many communities that we are going to do something about these sites, and then we discover that the government doesn't want to ante up the money to allow the remedial work to take place, and if a private developer does have the money and uses a tax break from the municipality to carry out the work, there won't be the Ministry of the Environment staff available to monitor that work. It is very clear that we need public hearings on this bill. I would urge the minister, after we get through second reading, to commit to that very thing.

**Mr Norm Miller (Parry Sound-Muskoka):** I'm very happy to make comments this evening on Bill 56 to do with brownfields. I'd like to thank the member from Nickel Belt for her comments to do with this legislation. I see it as very important legislation, especially for my riding of Parry Sound-Muskoka. In Parry Sound we have some prime waterfront locations that are indeed brownfields, and I see this legislation as being something that may result in their development. The member for Nickel Belt was questioning whether the tax benefit that is being created so the municipalities can give a tax credit toward the fix-up of the property is going to work. I think if you're the municipality and you have property that's abandoned, that's not currently being used for anything, obviously if it gets developed, no matter how much it costs to clean up that property, eventually you'll get some benefits. So of course it makes sense.

If the municipality owns the property, this legislation makes it much more likely that they can sell the property to a developer who can then clean it up. That is certainly a benefit as well.

I can see in my riding that it is going to be beneficial toward cleaning up and developing the Parry Sound waterfront, where there are some prime unserviced waterfront properties that have a great potential for the future. I see this as valuable legislation that is going to be a benefit to my riding.

**Mr James J. Bradley (St Catharines):** I know this government doesn't like the Toronto Star. I'm just recalling an editorial in the Toronto Star which pointed out a number of problems with this legislation. Specifically, it was Dianne Saxe, who was formerly with the Ministry of the Environment, who listed a number of problems. I hope the minister can persuade his colleagues to send this to committee as a result.

Let me deal with one problem with the whole area of planning. I think that brownfields can be used in the right circumstances, but what's happening with municipalities now in terms of urban sprawl is, they're intimidated by the fact that the developer always threatens to go to the Ontario Municipal Board. Unfortunately, the Ontario Municipal Board has been stacked with Tory appointees who are pro-development. You listen to some of these municipal councillors who say, "Look, we don't want to approve this development. It takes up a lot of farmland. It takes up a lot of good environmental land. It takes up parkland. But if we don't approve it, the Ontario Municipal Board is going to approve it." The developer has already said he's heading to the Ontario Municipal Board unless the local council approves it.

What is required in this regard—and this minister may have some input in this regard, I hope. I know it is not his ministry, but I hope they start appointing people to the Ontario Municipal Board who aren't interested in seeing every last square centimetre of farmland in this province, including in the Niagara Peninsula and other places, paved over and left in a circumstance where you no longer have that extremely valuable farmland.

I hope the government will address the concerns expressed by Dianne Saxe, formerly of the Ministry of the Environment. I think it would be advantageous not only for the opposition and people outside but for the minister himself to have this go to committee, so he could have the kind of input that's necessary to make changes to the bill that would benefit and improve the legislation.

**Mr Peter Kormos (Niagara Centre):** The riding of Niagara Centre, with municipalities like Welland and Thorold, is very much affected by this bill and the policy issues it purports to speak to. These are old industrial communities, industrial sites that go back, heck, 120, 130 years. Acres of land, I suspect, that today would be identified as brownfield lands have already been developed because of the lack of consideration or the failure to consider so many of these things.

We've got the Union Carbide site in Welland now, acres and acres—again, I'm just speaking with more than

a little bit of hyperbole—where I suspect there are at least some spots where the PCBs are three feet down, if not deeper. That's what happens to these industrial sites. Those that we can identify now—Union Carbide has been abandoned by Union Carbide. The American-based company pulled out. After Mike Harris got elected they were gone—325 workers without jobs, 325 families without incomes—acres and acres, adjacent to the old Welland Canal, and the destiny of so much of that acreage is that it simply lapses, by virtue of unpaid taxes, into municipal ownership.

I've got to tell you, you've downloaded and downloaded on municipalities like Welland, Thorold, Pelham, St Catharines, every single city, town and village in this province. I'm sorry, they don't have the financial resources to undertake the remediation that's going to be required to turn this land into developable property, even for industrial usage. The bill, without that sort of financial support for municipalities, is hollow.

**The Deputy Speaker:** Questions and comments?

**Mr Bob Wood (London West):** The member spoke well.

**The Deputy Speaker:** Response?

**Ms Martel:** The situation is this: the government says this is a priority. Actually, the minister in his comments went on at great length to say they had consulted with a number of people and a number of organizations to get us to the point where we are today. What I'm saying to the government is this: if this is a priority, if you were really serious about ensuring that contaminated sites in many communities across the province are finally dealt with, both to protect the environment and then to have some economic development, then put your money where your mouth is. You had \$2.3 billion worth of tax cuts in the most recent budget and nothing allocated to this initiative. The government has made it very clear that the only contaminated site they're going to deal with has to do with regeneration of the Toronto waterfront. That's it and that's all.

I think it is grossly unfair to dump the responsibility for brownfield redevelopment on to municipalities, and that's what you're doing. You want municipalities to offer some kind of tax incentive or tax relief to private owners in the hope that they will undertake the development, redevelop the property, get a better property, higher taxes and recoup their money. But for municipalities that have come into possession of contaminated sites because the owners have fled or disappeared, those municipalities will not have the cash available up front to do the remedial work, to make that parcel then attractive to a private developer to carry on with other development, be it housing, industrial-commercial etc. You're putting them in an untenable position where they don't have the cash up front to do what they surely want to do as well.

I say to the minister, rethink this, put some money on the table and then this initiative might actually work.

**The Deputy Speaker:** Further debate?

**Mr Gilles Bisson (Timmins-James Bay):** Here we go again. It would appear that once again the Liberals have decided to work with the Tories in order to achieve whatever it is they're trying to achieve, because here we find ourselves again, another evening when it's only New Democrats who are speaking to bills.

I appreciate the debate time. I've got to say to my friends in the Liberal caucus and to my friends in the Tory caucus that I really like the idea having some extra time to be able to speak on this bill because it is a bill that affects I think a lot of communities across Ontario. I just want to say that we're a very small caucus, but we're here; 80% of our caucus members are here. We're here to debate the bills of the House. We're here to do our job to make sure we do due diligence and scrutiny to what is brought before this Legislature. We take our responsibilities seriously, and I'm proud as a New Democrat we do so.

I want to say a couple of things in regard to this bill. I generally support the direction the government is going in on this bill. I don't want to always come into this Legislature and say that we should oppose everything the government does because it's the government. However, there are a couple of things that are going on around this Legislature that we're not going to allow this bill speedy passage. I think the government has to understand that we are as New Democrats making a point and we're allowing a—

*Interjection.*

**Mr Bisson:** Oh, really, Mr Speaker? As a matter of fact, Mr Speaker, I would move at this point adjournment of the House.

**The Deputy Speaker:** Mr Bisson has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 2242 to 2312.*

**The Deputy Speaker:** Mr Bisson has moved adjournment of the House.

All those in favour will stand and remain standing until they are counted.

All those opposed will stand and remain standing until they are counted.

**Clerk Assistant (Ms Deborah Deller):** The ayes are 22; the nays are 7.

**The Deputy Speaker:** I declare the motion carried.

This House stands adjourned until 1:30 of the clock tomorrow afternoon

*The House adjourned at 2313.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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## CONTENTS

Tuesday 26 June 2001

### THIRD READINGS

<b>Responsible Choices for Growth and Accountability Act (2001 Budget), 2001,</b> <i>Bill 45, Mr Flaherty</i>	
Mr Hardeman .....	1917
Mr Kennedy .....	1918
Mr Marchese .....	1921
Mr Spina .....	1923
Ms Di Cocco .....	1924
Ms Martel .....	1925
Mr Tascona .....	1927
Mr Gerretsen .....	1928
Mr Christopherson .....	1930
Mr Bradley .....	1931
Mr Bisson .....	1931
Mr O'Toole .....	1932
Vote deferred .....	1934

### Ambulance Services Collective

<b>Bargaining Act, 2001, Bill 58,</b> <i>Mr Stockwell</i>	
Mr Stockwell .....	1934
Mr Agostino .....	1939
Mr Kormos .....	1940
Mrs McLeod .....	1943
Mr Martin .....	1945
Mr Bradley .....	1946
Vote deferred .....	1947

### SECOND READINGS

#### Brownfields Statute Law

<b>Amendment Act,</b> <b>2001, Bill 56, Mr Hodgson</b>	
Ms Martel .....	1948, 1950
Mr Miller .....	1949
Mr Bradley .....	1949
Mr Kormos .....	1949
Mr Bisson .....	1950
Agreed to .....	1950

## TABLE DES MATIÈRES

Mardi 26 juin 2001

### TROISIÈME LECTURE

<b>Loi de 2001 sur des choix réfléchis favorisant la croissance et la responsabilisation (budget de 2001), projet de loi 45,</b> <i>M. Flaherty</i>	
Vote différé .....	1934

<b>Loi de 2001 sur la négociation collective dans les services d'ambulance, projet de loi 58,</b> <i>M. Stockwell</i>	
Vote différé .....	1947

### DEUXIÈME LECTURE

<b>Loi de 2001 modifiant des lois en ce qui concerne les friches contaminées, projet de loi 56,</b> <i>M. Hodgson</i>	
Adoptée .....	1950

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Second Session, 37<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**  
Deuxième session, 37<sup>e</sup> législature

# **Official Report of Debates (Hansard)**

# **Journal des débats (Hansard)**

**Wednesday 27 June 2001**

**Mercredi 27 juin 2001**



**Speaker**  
Honourable Gary Carr

**Président**  
L'honorable Gary Carr

**Clerk**  
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**Greffier**  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 27 June 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 27 juin 2001

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### HOME CARE

**Mr Michael Gravelle (Thunder Bay-Superior North):** It is nothing less than heartbreaking to speak to constituents whose access to vitally needed home care is either being cut back or simply turned down as a result of this government's freeze in funding to the Thunder Bay Community Care Access Centre. How the Premier and the health minister can justify this cruel attack on people who are fighting to stay in their homes is absolutely beyond any of us who care for the well-being of our constituents.

Recently I spoke to a 75-year-old woman living on a fixed income who was struck down by an impaired driver this past January and has been able to stay in her apartment only because of three visits a day from her home care provider. But as a result of the cutbacks, she will now receive only one visit per day, which will make it difficult for her to stay in her home.

Also, a gentleman I spoke to who had serious back surgery and has since lost his sight has had his allotted time cut back to such a degree that he feels bereft of hope. He has in fact told me that he often thinks he'd be better off dead than alive.

Another constituent is a blind, diabetic, 84-year-old woman whose family is desperate for respite care but have been told that because of the funding freeze, new cases like hers cannot be accommodated.

These are but a few of the tragic cases I have heard over the past week. Clearly the horror stories will only get worse unless this government provides increased funding to our home care sector. As we prepare to rise for the summer, I want to make a last-gasp plea to the Minister of Health: Please, Minister, provide the needed funds so that people in my riding can count on the support and help they need to live their lives with dignity. People's lives are simply hanging in the balance.

#### CANADA DAY

**Mr Gerry Martiniuk (Cambridge):** Once again we are going to celebrate the birthday of our great country. In my riding of Cambridge, the Canada Day committee

has been busy organizing a spectacular lineup of activities in celebration of Canada's birthday.

The fun will start early in the morning on July 1 with a children's fishing derby followed by games and races, a midway running all day and night, a seniors' bingo, and entertainment by local bands and artists. The highlight of this day is the 21st annual Cambridge Canada Day parade, one of the largest parades in Canada on that day. Over 140 groups will be represented with an impressive lineup of marching bands, floats and much more. We finish the daylong birthday party with a huge fireworks display at Riverside Park in Cambridge-Preston at dusk.

I would like to thank the many volunteers who worked very hard all year to make this celebration a success, and in particular, parade chairman Lee Tiggelman, her daughter Laura, Millie Baker, Kathy Murphy and Kelly Killoran, to name but a few.

On behalf of Cambridge, I invite everyone in this great province to bring the family to Cambridge on July 1 to celebrate Canada's birthday.

#### SHARON REYNOLDS

**Mr John Gerretsen (Kingston and the Islands):** On June 12, 1997, a young girl by the name of Sharon Reynolds was found dead in the basement of her house in Kingston. Her mother, Louise Reynolds, was subsequently charged with the murder of her seven-year-old daughter. On January 25 of this year, less than two months before the trial was scheduled to start, the crown attorney, on what I understand were instructions from the Attorney General's office, withdrew the murder charge.

A five-page feature article in Maclean's on May 14, 2001, raised serious questions about the involvement of Dr Charles Randall Smith, the government's chief pathologist, in the investigation of the death of this little girl and other murder cases in which he was involved in his professional capacity.

In a series of seven feature articles carried in the Whig-Standard this past week, investigative reporters Arthur Milnes and Rob Tripp also raise serious issues and concerns about the facts surrounding her death.

Letters to the editors and petitions signed by hundreds of people are demanding a full and open inquiry. Both the chief of police for Kingston, Bill Closs, and I have repeatedly requested that the Premier and the Attorney General authorize a full and impartial inquiry into the circumstances surrounding the death of Sharon Reynolds. Last week I was informed by the Attorney General that a

public inquiry would not be authorized by him because of a pending court action initiated by her mother, who has been in custody for over three years. How can a civil court action that may never come to court interfere with a full, impartial and open inquiry for this little girl lost?

I plead with the Premier and the Attorney General that pursuant to section 2 of the Public Inquiries Act, you authorize a full and independent inquiry into the death of Sharon Reynolds so that we can truly find out what happened in this horrific death. The people of Ontario and the life and memory of this seven-year-old girl demand nothing less.

### OCCUPATIONAL HEALTH AND SAFETY

**Mr Peter Kormos (Niagara Centre):** I am proud to stand here today with letters from hundreds of members of the United Steelworkers of America, and I join them in their condemnation of this government's assault, this government's attack, on workers' workplace health and safety rights by virtue of this government ramming Bill 57 through the Legislature.

These working women and men, members of the United Steelworkers, are adamant and make it very clear that this government's attack on the right to on-site inspections by Ministry of Labour inspectors when there is a lawful refusal of work as a result of an unsafe workplace, the denial of an on-site inspection, is going to lead to more injuries and more deaths.

As well, these members of the United Steelworkers know that the changes to the reporting of injuries, the abandonment of the requirement to report injuries, will indeed make workplaces more dangerous and increase the number of workplace accidents and deaths.

As well, the government's repeal of section 34, which no longer requires that there be a report to the minister prior to the introduction of new chemicals or biological agents, again increases the exposure of workers to accident, disease and death.

We join with the United Steelworkers of America, other working women and men in this province, other trade unions and their leaders in condemning this government and calling upon this government to use its opportunity in committee today to abandon Bill 57 and restore workplace health and safety.

### YOUTH EMPLOYMENT

**Mr Bert Johnson (Perth-Middlesex):** I rise today to highlight a project in my riding that is helping rural young people find good jobs close to home.

The Huron and Perth Youth Development Alliance is comprised of 27 businesses and organizations in Perth and Huron counties, and indeed the north part of Wellington as well, that contribute to various sectors of the local economy, including science and technology, agribusiness, manufacturing, distribution and service.

These companies were concerned with the number of youth in the area who were migrating to urban centres to

obtain job experience and skills training. With the help of a grant from OMAFRA's rural jobs strategy fund, this youth development alliance has designed a project that will invest about \$2.5 million in technical training, skills development and practical work experience for 152 youth in Perth and Huron counties interested in beginning and continuing their careers in local communities—about 25% from the ministry.

I want to commend Ben Cornell and Norm McLennan of Ward and Uptigrove Consulting in Listowel for their dedication and commitment to this project. I also want to applaud the 27 companies and organizations that make up the alliance who are doing their part for rural economic renewal and for youth in rural Ontario.

Highly skilled youth and more investment opportunities will result in stronger rural communities in Ontario for generations to come.

1340

### SOINS HOSPITALIERS

**M. Jean-Marc Lalonde (Glengarry-Prescott-Russell):** Hier matin, je recevais un appel suivi d'une lettre d'une de mes commettantes, M<sup>me</sup> Raymonde Lemay de Rockland. Jeudi dernier, le 21 juin, cette dame a été admise à l'hôpital générale d'Ottawa, après une longue période d'attente, pour une double intervention chirurgicale qui a eu lieu le jour même de son admission.

J'ai été stupéfié d'apprendre jusqu'à quel point les coupures du gouvernement Harris face aux centres d'accès aux soins communautaires sont menaçantes. Ce sont surtout nos personnes âgées qui vivent seules à la maison qui sont victimes de ces coupures malsaines.

Le vendredi 22 juin dernier, un jour après sa double intervention chirurgicale, le D<sup>r</sup> Brunet, son orthopédiste, lui annonçait que son congé de l'hôpital devrait avoir lieu le samedi 23 juin et qu'il était douteux qu'elle puisse recevoir des soins à domicile, dû au manque de financement du CASC.

Cette dame a reçu son congé de l'hôpital tel que prévu le samedi 23 juin et a été informée par la suite qu'il lui sera impossible de recevoir des soins à domicile avant le 26 juin, et ça pour seulement une heure par jour pour les huit prochains jours.

Ceci est inacceptable. Encore une fois, ce sont nos personnes âgées qui souffrent à cause des coupures du gouvernement Harris.

### PHARMACARE

**Mr Ted Arnott (Waterloo-Wellington):** On May 3, I raised a question with the Minister of Health regarding the federal Liberals' 1997 red book promise to introduce a national pharmacare program, or universal coverage for medically necessary drugs. There have been two federal elections since this promise was made and there has been no follow-up from the government of Canada, as was confirmed by the minister's response to my question.

I wrote to the Prime Minister on this subject about four months ago, and I have received no meaningful reply to my request for a status report, just an acknowledgement from an assistant that my letter had been received.

Meanwhile, the Ontario government has been busy making a wide range of prescription drugs available to meet the needs of patients in this province. Since 1995, the Ontario drug benefit program has been expanded to offer 1,216 more drug products, bringing the total to 3,100 products, helping seniors and people on social assistance obtain the medicine prescribed by their doctors. Spending on the Ontario drug benefit program has risen by almost 70% since 1995, up from \$1 billion to \$1.8 billion this year.

Ontario has managed to put these resources where they're needed, despite federal cutbacks to our health care funding. Federal support for health care has slipped from 18 cents on the dollar in 1994-95 to a mere 13 cents now. The need to reverse the federal cuts and introduce an escalator clause to increase federal support to keep pace with rising costs for health care was supported by members from all three parties in this House when my private member's resolution passed unanimously last year.

The Premier is continuing that call for an escalator clause by asking for an immediate commitment from the government of Canada to cover 50% of the increasing costs for health care. I hope all members will continue to support this initiative.

#### PROGRESSIVE CONSERVATIVE PARTY

**Mr Dwight Duncan (Windsor-St Clair):** I listened with great interest to the Premier's summary of the session that ends tomorrow. Interestingly enough, in my mail the day before, on a piece of letterhead called "Seizing Tomorrow's Opportunities," I received this:

"When did we choose incompetence? When did we decide to screw up like the NDP? The taxpayer federation criticizes our priorities. Seniors' groups, our core voters, attack Tony Clement for musing about taking away their free drug coverage. The Premier breaks our campaign promise on education funding. Janet Ecker says there's no plan for MPP pay raises and two days later she introduces a bill for it. The Premier tells seniors, our core voters, they should thank God they live in Ontario, with the best services in the world."

This one was interesting:

"We nominate an incompetent candidate for a key by-election. The Premier calls problems with seniors, our core voters, getting home care a shoddy ploy for more money."

Was this a Liberal who wrote this? No way. Was this a New Democrat? No. It was a Tory expressing her frustration at a government that's clearly under siege and a Premier who's showing no leadership and isn't capable any more of leading this province. I do agree with one thing it says here: "It's time to seize tomorrow's

opportunities." The real leadership's coming from Dalton McGuinty and the Ontario Liberal Party in this province.

#### STAN DARLING

**Mr Norm Miller (Parry Sound-Muskoka):** I rise in the House today to honour a remarkable gentleman from our riding of Parry Sound-Muskoka. He is an outstanding citizen, a wonderful family man and a great friend. I think I can speak for all members in bringing the warmest greetings and best wishes to Mr Stan Darling as he celebrates his 90th birthday on July 15, 2001.

It is pretty impressive when you reflect back on the number of lives Stan has touched. In such a short time I can't possibly mention all of the boards and organizations that Stan Darling served on. But to name a few, he served as reeve of Burk's Falls, president of the Georgian Bay development council and was a member of the Burk's Falls Lions Club, where he has had an exceptional attendance for 62 years.

Stan was the PC federal member for Parry Sound-Muskoka for 21 years, from 1972 to 1993, retiring at age 82. He is the best representative in and outside of politics we have ever seen. Stan made a point of attending every social function and taking care of as many people as he possibly could. He's still doing that today as he nears 90 years old.

One of the highlights of his political career was the signing of the treaty on acid rain in 1991. His leadership, involvement and devotion to environmental issues have proven invaluable to us today and for future generations.

It is a great honour for me to be a friend of Stan Darling. He will serve as a role model for me as I make my way in the world of politics.

Few will come close to Stan Darling's outstanding record of service to his constituents, his family, his friends and his riding. He's an inspiration to all of us in public office.

I would like to call on all members of the House to join me in congratulating Mr Stan Darling on the occasion of his 90th birthday.

#### MEMBERS' EXPENDITURES REPORT

**The Speaker (Hon Gary Carr):** I beg to inform the House that I today have laid upon the table the individual members' expenditures for the fiscal year 2000-01.

#### SPEAKER'S RULING

**The Speaker (Hon Gary Carr):** On Thursday, June 14, the chief government whip, Mr Klees, rose on a point of privilege concerning security incidents that occurred on June 12 at the constituency office of the Minister of Finance and on June 14 outside the Premier's office in the Legislative Building. The member for Windsor-St Clair, the member for Beaches-East York, the government House leader and the Minister of Labour also made submissions. I've had the opportunity to review the

Hansard of that day, the written submissions of the chief government whip and the relevant authorities and precedents.

Before dealing with the question of privilege, I want to reflect on—not reconsider—a point of order raised by the member for Beaches-East York and dealt with by the Acting Speaker. The member for Beaches-East York indicated that the submission of the chief government whip reflecting on the alleged silence of members of the third party about security incidents offended standing order 23(h) and standing order 23(i). These standing orders require the Speaker to call a member to order if he or she, and I quote, “makes allegations against another member” or “imputes false or unavowed motives to another member” in debate.

At the time the member for Beaches-East York raised her point of order, the chief government whip had not specifically identified which member or members were the subject of his remarks. Had that been done, it would have been open to the Chair to intervene and call the member to order. In any event, looking back on the incident I cannot emphasize enough that members should exercise restraint in making personal allegations against another member. Members should understand that such allegations can cause disorder, that the Chair takes seriously its responsibility to maintain order and decorum in the chamber and that the Chair will continue to be vigilant in this regard.

After the Chair's ruling on the point of order raised by the member for Beaches-East York, the chief government whip resumed making oral submissions on his point of privilege. Toward the end of these submissions, he informed the House that the purpose of that part of his remarks reflecting on the alleged silence of members of the third party concerning the security incidents was, to quote him, “to get the third party publicly on record” on the issue. This was an unfortunate choice of words, because it detracted from the seriousness of the safety and security issue raised by the member and from the rationale for rising on a point of privilege. In other words, when members rise on a point of privilege, they should do so in order to vindicate the individual privileges of all members and the collective privileges of this House.

I also want the House to know that I take all security incidents very seriously, given the jurisdiction over security that has been given to the Speaker by virtue of section 103 of the Legislative Assembly Act. Therefore, I want to inform the House about the following measures being taken in light of the latest incidents. Firstly, I have taken steps to enhance security in the Legislative Building. Secondly, the Sergeant at Arms, whose security responsibilities are primarily focused on the legislative precinct, will continue visiting members' constituency offices to advise on security issues. Finally, the Speaker's all-party advisory committee on security will review the incidents with a view to assisting me to determine what else should be done to prevent or deal with future incidents. I ask for the co-operation of all members to

ensure that the working environment is safe and secure not only for members but for their staff, their clients and their constituents.

I will now speak directly to the point raised by the member for Etobicoke Centre, Mr Stockwell, regarding the demonstration that occurred on June 14 in the Legislative Building in front of the Premier's office. The member recounted the difficulty he had that day in navigating the hallways of the Legislative Building and the precautions that were taken to ensure he was escorted safely to those places in the building he wished to go. In reviewing his comments, the member did not make it clear that he was in fact prevented from getting to and from a specific place in the Legislative Building or was prevented from carrying out his parliamentary duties.

1350

It would appear that, to the contrary, with appropriate assistance, the minister was able to come and go safely. While I acknowledge that ideally members should not have to encounter even the inconvenience that the member experienced, the nature of a public building that is also the seat of Parliament sometimes works against this. I therefore find that he did not make out a *prima facie* case of privilege. In so finding, I nevertheless reiterate my determination to ensure that all members have confidence in the safety and the security of this building.

Returning now to the point of privilege raised by the chief government whip, I wish to advise the House that section 46(1) of the Legislative Assembly Act confers, and the Speaker claims, an absolute and unfettered right to deal with all questions of privilege, regardless of other circumstances. I have nevertheless in this case made the decision to defer my ruling until such time as charges against individuals in relation to the events at the constituency office of the Minister of Finance have been fully dealt with.

It is not typical for a matter of privilege to come before this House while either criminal or civil charges related to the very serious incident or incidents complained of in that matter of privilege are pending. For this reason, and to fully observe the principle that the Legislature and judicial branches of government ought to refrain from encroaching upon proper jurisdictions of each other, I feel prudence requires me to set this matter aside until the judicial system has disposed of it.

Therefore, and regardless of the outcome of the matter—and I want to make it very clear, regardless of the outcome in the court—at the appropriate time I will rule on the point of privilege of the member for Oak Ridges on its merit, and I thank the House for their patience in this regard.

#### VISITORS

**Mr Mike Colle (Eglinton-Lawrence):** On a point of order, Mr Speaker: I'd like to welcome here a delegation from beautiful Victoria county, led by councillor Faye McGee; Lynne Boldt, Corky Swartman, and Grant Dewar. Welcome to the Legislature.

**Mrs Marie Bountrogianni (Hamilton Mountain):** On a point of order, Speaker: I'd like to welcome to the House my son, who graduated from grade 8 last night, Alexander Tsanis.

**The Speaker (Hon Gary Carr):** It's not a point of order, but my daughter graduated from grade 8 last night as well.

**Mr Bountrogianni:** It's not a point of order, but I would also like to welcome Yani Alexopoulos from Runnymede Secondary.

**Mrs Tina R. Molinari (Thornhill):** On a point of order, Speaker: I would like to welcome members from the Canadian Jewish Congress; people from the Islamic Society of North America, Canadian chapter; Jewish Parents for Equality in Education; Ontario Parents for Equality in Education Funding; United Jewish Appeal; Canadian Association of Jewish Day Schools; and the Canadian Association of Islamic Relations who are in the gallery today.

**Mr Colle:** Mr Speaker, I'd like to welcome senior citizens from my riding who are fighting to save their homes from demolition of their apartments, and I'd like to welcome here the citizens from Cheritan Court and Rosewell Court.

**Hon David Young (Attorney General, minister responsible for native affairs):** Mr Speaker, I do have a point of order: We have the privilege today of having with us in the gallery the family of one of our pages who has worked so hard over the last short while. I'd like to take this opportunity to introduce Becky Codd-Downey's mother, Judi Codd; Bob Downey, her father; Frank Codd, her grandfather; uncle Frank Codd; Doris Galloway, a great-aunt; and David Galloway, a great-uncle, who are here today.

**The Speaker:** All the parents can be very proud of the great job the pages are doing.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**The Speaker (Hon Gary Carr):** I beg to inform the House that today the Clerk received the ninth report of the standing committee on government agencies.

Pursuant to standing order 106(e), the report is deemed to be adopted by the House.

### STANDING COMMITTEE ON JUSTICE AND SOCIAL POLICY

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I beg leave to present a report from the standing committee on justice and social policy and move its adoption.

I also mention my daughter graduated from grade 8 last night.

**Clerk at the Table (Mr Todd Decker):** Your committee begs to report the following bill without amendment:

Bill 82, An Act to amend the Legislative Assembly Act to provide an arm's length process to determine members' compensation / *Projet de loi 82, Loi modifiant la Loi sur l'Assemblée législative pour établir un processus sans lien de dépendance permettant de fixer la rétribution des députés.*

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1355 to 1400.*

**The Speaker:** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Agostino, Dominic	Flaherty, Jim	Munro, Julia
Arnott, Ted	Galt, Doug	Mushinski, Marilyn
Baird, John R.	Gerretsen, John	Newman, Dan
Barrett, Toby	Gilchrist, Steve	O'Toole, John
Bartolucci, Rick	Gill, Raminder	Ouellette, Jerry J.
Beaubien, Marcel	Gravelle, Michael	Patten, Richard
Bountrogianni, Marie	Guzzo, Garry J.	Phillips, Gerry
Boyer, Claudette	Hardeman, Ernie	Runciman, Robert W.
Brown, Michael A.	Hastings, John	Ruprecht, Tony
Bryant, Michael	Hoy, Pat	Sampson, Rob
Caplan, David	Hudak, Tim	Smitherman, George
Chudleigh, Ted	Jackson, Cameron	Snobelen, John
Clark, Brad	Johns, Helen	Spina, Joseph
Cleary, John C.	Johnson, Bert	Stewart, R. Gary
Clement, Tony	Kells, Morley	Stockwell, Chris
Colle, Mike	Kennedy, Gerard	Tasca, Joseph N.
Conway, Sean G.	Kwinter, Monte	Tilson, David
Crozier, Bruce	Lalonde, Jean-Marc	Tsubouchi, David H.
Cunningham, Dianne	Marland, Margaret	Turnbull, David
Curling, Alvin	Martiniuk, Gerry	Wettlaufer, Wayne
Di Cocco, Caroline	Maves, Bart	Wilson, Jim
Dombrowsky, Leona	Mazzilli, Frank	Witmer, Elizabeth
Duncan, Dwight	McLeod, Lyn	Wood, Bob
Dunlop, Garfield	McMeekin, Ted	Young, David
Ecker, Janet	Miller, Norm	
Elliott, Brenda	Molinari, Tina R.	

#### Nays

Bisson, Gilles	Marchese, Rosario	Martin, Tony
Kormos, Peter	Martel, Shelley	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 76; the nays are 5.

**The Speaker:** I declare the motion carried.

Pursuant to the order of the House dated June 26, 2001, the bill is ordered for third reading.

## STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

**Mr Garfield Dunlop (Simcoe North):** I beg leave to present a report from the standing committee on regulations and private bills and move its adoption.

**Clerk at the Table (Mr Todd Decker):** Your committee begs to report the following bills without amendment:

Bill Pr12, An Act respecting Master's College and Seminary (formerly Eastern Pentecostal Bible College);

Bill Pr18, An Act respecting Conrad Grebel University College;

Bill Pr 20, An Act respecting the City of Toronto.

Your committee begs to report the following bill, as amended:

Bill Pr13, An Act respecting The Boys' Home.

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted? Agreed.

## INTRODUCTION OF BILLS

### AUDIT AMENDMENT ACT (FAIRNESS IN MUNICIPAL FINANCES), 2001

### LOI DE 2001 MODIFIANT LA LOI SUR LA VÉRIFICATION DES COMPTES PUBLICS (ÉQUITÉ DANS LES FINANCES MUNICIPALES)

Mr McMeekin moved first reading of the following bill:

Bill 93, An Act to amend the Audit Act and to ensure that municipal restructuring and the reallocation of responsibilities between Ontario and its municipalities do not have an adverse effect on municipal finances / *Projet de loi 93, Loi modifiant la Loi sur la vérification des comptes publics et visant à assurer que la restructuration municipale et la nouvelle répartition des responsabilités entre l'Ontario et ses municipalités n'ont pas des conséquences préjudiciables sur les finances municipales.*

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** This bill will give the auditor the power to investigate and report to the Legislature the financial effects of municipal restructuring and the reallocation of responsibilities between Ontario and its municipalities since 1995. It will also give the Provincial Auditor the ability to make the recommendations needed to ensure the financial resources of Ontario's municipalities are proportional to their responsibilities.

This is a bill that municipal leaders across the province have been asking for. We've contacted dozens of mayors across Ontario, and to date every single one of

them has been in support of this legislation, as is the Association of Municipalities of Ontario.

### NEIGHBOURHOODS AND AFFORDABLE RENTAL HOUSING PROTECTION AND PRESERVATION ACT, 2001

### LOI DE 2001 SUR LA PROTECTION ET LA CONSERVATION DES QUARTIERS ET DES LOGEMENTS LOCATIFS À PRIX ABORDABLES

Mr Colle moved first reading of the following bill:

Bill 94, An Act to stop the demolition of affordable rental housing and the conversion of affordable rental housing into condominiums and to protect and preserve existing neighbourhoods / *Projet de loi 94, Loi visant à empêcher la démolition des logements locatifs à prix abordables et leur reconversion en condominiums ainsi qu'à protéger et à conserver les quartiers existants.*

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

The member for a short statement.

**Mr Mike Colle (Eglinton-Lawrence):** The Neighbourhoods and Rental Housing Protection Act which I've introduced would prohibit the demolition of affordable rental housing and protect neighbourhoods by establishing neighbourhood preservation areas.

This act dramatically curtails the extraordinarily arbitrary powers of the province through its appointed Ontario Municipal Board and restores the democratic rights of citizens to enjoy their homes and neighbourhoods without the fear of being disenfranchised, ignored and overruled by a most undemocratic and arbitrary arm of this government, the Ontario Municipal Board.

1410

### ETHICS AND TRANSPARENCY IN PUBLIC MATTERS ACT, 2001

### LOI DE 2001 SUR L'ÉTHIQUE ET LA TRANSPARENCE DES QUESTIONS D'INTÉRÊT PUBLIC

Ms Di Cocco moved first reading of the following bill:

Bill 95, An Act to require open meetings and more stringent conflict rules for provincial and municipal boards, commissions and other public bodies / *Projet de loi 95, Loi exigeant des réunions publiques et des règles plus strictes de règlement de conflit pour les commissions et conseils provinciaux et municipaux ainsi que les autres organismes publics.*

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

The member for a short statement.

**Ms Caroline Di Cocco (Sarnia-Lambton):** This bill would require specified provincial and municipal councils, boards, commissions and other public bodies, as listed in the schedule of the bill, to hold meetings which are open to the public. The public could only be excluded from meetings of the body if certain types of matters were going to be discussed by the body. Minutes of meetings open to the public would have to be made available to the public in a timely fashion and would have to contain sufficient details.

The body would also be required to set rules respecting public notice of its meetings and meetings of its committees, the availability of minutes to the public and the availability of the body rules. The body would be required to appoint a person responsible for compliance with the rules. Section 8 would impose a penalty for failure to comply with requirements for notice, minutes and rules.

This bill would also impose conflict-of-interest rules on members of the specific public body. Section 12 would impose a penalty for contravention of the conflict-of-interest provisions.

It is the open process through public scrutiny that ensures accountability.

## VISITORS

**Mr Gerard Kennedy (Parkdale-High Park):** On a point of order, Mr Speaker: I'd like to ask the House to welcome Annie Kidder, from People for Education; Phyllis Benedict, president of the Elementary Teachers' Federation of Ontario; Liz Sandals, president of the Ontario Public School Boards Association; and a variety of other parent, school and education groups concerned about the future of publicly funded education.

## MOTIONS

### CONSIDERATION OF BILL 81

**Hon Janet Ecker (Minister of Education, Government House Leader):** I have several routine motions, which I'd just like to go through.

I move that the order for second reading of Bill 81, An Act to provide standards with respect to the management of materials containing nutrients used on lands, to provide for the making of regulations with respect to farm animals and lands to which nutrients are applied, and to make related amendments to other acts, be dis-

charged and the bill be referred to the standing committee on justice and social policy.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

### CONSIDERATION OF BILL 90

**Hon Janet Ecker (Minister of Education, Government House Leader):** I move that the order for second reading of Bill 90, An Act to promote the reduction, reuse and recycling of waste, be discharged and the bill be referred to the standing committee on general government.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

**Hon Mrs Ecker:** Hopefully these are the copies you're supposed to get.

There are a couple of committees that we talked about between House leaders: the legislative subcommittee on alternative fuel sources and also the Legislative Assembly committee, which will be looking into parliamentary reform. I would like to ask for unanimous consent to move motions relating to committee business on those. We'll take it one at a time.

There will also be some other committees—the ones we just said yes to—authorized to sit through the summer adjournment. We will do it a step at a time so that everyone can be very clear what is happening on them, if that is OK.

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noes.

**Hon Mrs Ecker:** On a point of order, Mr Speaker: It is my understanding, subject to the advice of the Clerk, that the routine motions we just put—there are some other routine motions on these committees that we have to put forward. I can double-check that if you like, but that was part of this motion as I understood it.

**The Speaker:** We'll take a moment to confer. Government House leader.

**Hon Mrs Ecker:** This is another matter on which we've had discussions between the House leaders. We're just sharing wording on that. I understand it's coming to them. I'll read this slowly so we're all clear on what we're attempting to do here. If this proceeds, I should point out that this would mean we would not be sitting here this evening in the heat.

Notwithstanding standing order 59(e), I would like to seek unanimous consent to allow the estimates committee to meet to review the 2001-02 estimates of the Ministry of Education scheduled for today while we debate the motion on Bill 80; and

I seek unanimous consent to call second and third readings of Bill 19, An Act to amend the Training, Colleges and Universities Act, and Bill 85, An Act to minimize the use of restraints on patients in hospitals and on patients of facilities, and to have the question put immediately thereon without further debate or amendment.

**The Speaker:** Is there consent? Agreed.

**Hon Mrs Ecker:** We'll be taking this one step at a time as I understand the process here.

ONTARIO STUDENT LOAN  
HARMONIZATION ACT, 2001

LOI DE 2001 SUR L'HARMONISATION  
DES PRÊTS D'ÉTUDES DE L'ONTARIO

Mrs Ecker, on behalf of Mrs Cunningham, moved second reading of the following bill:

Bill 19, An Act to amend the Ministry of Training, Colleges and Universities Act / Projet de loi 19, Loi modifiant la Loi sur le ministère de la Formation et des Collèges et Universités.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

ONTARIO STUDENT LOAN  
HARMONIZATION ACT, 2001

LOI DE 2001 SUR L'HARMONISATION  
DES PRÊTS D'ÉTUDES DE L'ONTARIO

Mrs Ecker, on behalf of Mrs Cunningham, moved third reading of the following bill:

Bill 19, An Act to amend the Ministry of Training, Colleges and Universities Act / Projet de loi 19, Loi modifiant la Loi sur le ministère de la Formation et des Collèges et Universités.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

1420

PATIENT RESTRAINTS  
MINIMIZATION ACT, 2001

LOI DE 2001 SUR LA RÉDUCTION  
AU MINIMUM DE L'UTILISATION  
DE LA CONTENTION SUR LES MALADES

Mrs Ecker, on behalf of Ms Lankin, moved second reading of the following bill:

Bill 85, An Act to minimize the use of restraints on patients in hospitals and on patients of facilities / Projet de loi 85, Loi visant à réduire au minimum l'utilisation des moyens de contention sur les malades des hôpitaux et des établissements.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

PATIENT RESTRAINTS  
MINIMIZATION ACT, 2001

LOI DE 2001 SUR LA RÉDUCTION  
AU MINIMUM DE L'UTILISATION  
DE LA CONTENTION SUR LES MALADES

Mrs Ecker, on behalf of Ms Lankin, moved third reading of the following bill:

Bill 85, An Act to minimize the use of restraints on patients in hospitals and on patients of facilities / Projet de loi 85, Loi visant à réduire au minimum l'utilisation des moyens de contention sur les malades des hôpitaux et des établissements.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

**Hon Janet Ecker (Minister of Education, Government House Leader):** I would just like to thank the Speaker, the clerks and the members for their co-operation today in making this happen.

**The Speaker:** We should have breaks more often. Things seem to work very well when we do that.

Back to reality.

DEFERRED VOTES

RESPONSIBLE CHOICES FOR GROWTH  
AND ACCOUNTABILITY ACT  
(2001 BUDGET), 2001

LOI DE 2001  
SUR DES CHOIX RÉFLÉCHIS  
FAVORISANT LA CROISSANCE  
ET LA RESPONSABILISATION  
(BUDGET DE 2001)

Deferred vote on the motion for third reading of Bill 45, An Act to implement measures contained in the 2001 Budget and to amend various statutes / Projet de loi 45, Loi mettant en oeuvre des mesures mentionnées dans le budget de 2001 et modifiant diverses lois.

**The Speaker (Hon Gary Carr):** Call in the members; this will be a five-minute bell.

*The division bells rang from 1422 to 1427.*

**The Speaker:** All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Amott, Ted	Hardeman, Ernie	Ouellette, Jerry J.
Baird, John R.	Hastings, John	Runciman, Robert W.
Barrett, Toby	Hudak, Tim	Sampson, Rob
Beaubien, Marcel	Jackson, Cameron	Snobelen, John
Chudleigh, Ted	Johns, Helen	Spina, Joseph
Clark, Brad	Johnson, Bert	Stewart, R. Gary
Clement, Tony	Kells, Morley	Stockwell, Chris
Cunningham, Dianne	Marland, Margaret	Tascona, Joseph N.
DeFaria, Carl	Martiniuk, Gerry	Tilson, David
Dunlop, Garfield	Maves, Bart	Tsubouchi, David H.
Ecker, Janet	Mazzilli, Frank	Turnbull, David
Elliott, Brenda	Miller, Norm	Wettlaufer, Wayne
Flaherty, Jim	Molinari, Tina R.	Wilson, Jim
Galt, Doug	Munro, Julia	Witmer, Elizabeth
Gilchrist, Steve	Mushinski, Marilyn	Wood, Bob
Gill, Raminder	Newman, Dan	Young, David
Guzzo, Garry J.	O'Toole, John	

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

**Nays**

Agostino, Dominic  
Bartolucci, Rick  
Bisson, Gilles  
Bountrogianni, Marie  
Bradley, James J.  
Brown, Michael A.  
Bryant, Michael  
Caplan, David  
Cleary, John C.  
Colle, Mike  
Conway, Sean G.  
Crozier, Bruce

Curling, Alvin  
Di Cocco, Caroline  
Dombrowsky, Leona  
Duncan, Dwight  
Gerretsen, John  
Gravelle, Michael  
Hoy, Pat  
Kennedy, Gerard  
Kormos, Peter  
Kwinter, Monte  
Lalonde, Jean-Marc  
Lankin, Frances

Marchese, Rosario  
Martel, Shelley  
Martin, Tony  
McLeod, Lyn  
McMeekin, Ted  
Patten, Richard  
Peters, Steve  
Phillips, Gerry  
Pupatello, Sandra  
Ruprecht, Tony  
Smitherman, George

Bisson, Gilles  
Bountrogianni, Marie  
Bradley, James J.  
Brown, Michael A.  
Bryant, Michael  
Caplan, David  
Cleary, John C.  
Colle, Mike  
Conway, Sean G.  
Crozier, Bruce

Dombrowsky, Leona  
Duncan, Dwight  
Gerretsen, John  
Gravelle, Michael  
Hoy, Pat  
Kennedy, Gerard  
Kormos, Peter  
Kwinter, Monte  
Lalonde, Jean-Marc  
Lankin, Frances

Martin, Tony  
McLeod, Lyn  
McMeekin, Ted  
Patten, Richard  
Peters, Steve  
Phillips, Gerry  
Pupatello, Sandra  
Ruprecht, Tony  
Smitherman, George

**Clerk of the House (Mr Claude L. DesRosiers):** The  
ayes are 50; the nays are 35.

**The Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled  
as in the motion.

### AMBULANCE SERVICES COLLECTIVE BARGAINING ACT, 2001

#### LOI DE 2001 SUR LA NÉGOCIATION COLLECTIVE DANS LES SERVICES D'AMBULANCE

Deferred vote on the motion for third reading of Bill  
58, An Act to ensure the provision of essential  
ambulance services in the event of a strike or lock-out of  
ambulance workers / Projet de loi 58, Loi visant à assurer  
la fourniture des services d'ambulance essentiels dans  
l'éventualité d'une grève ou d'un lock-out de préposés  
aux services d'ambulance.

**The Speaker (Hon Gary Carr):** Call in the members.  
This will be a five-minute bell.

*The division bells rang from 1432 to 1437.*

**The Speaker:** All those in favour of the motion will  
please rise one at a time and be recognized by the Clerk.

**Ayes**

Amott, Ted  
Baird, John R.  
Barrett, Toby  
Beaubien, Marcel  
Chudleigh, Ted  
Clark, Brad  
Clement, Tony  
Cunningham, Dianne  
DeFaria, Carl  
Dunlop, Garfield  
Ecker, Janet  
Elliott, Brenda  
Flaherty, Jim  
Galt, Doug  
Gilchrist, Steve  
Gill, Raminder  
Guzzo, Garry J.

Hardeman, Ernie  
Hastings, John  
Hudak, Tim  
Johns, Helen  
Johnson, Bert  
Kells, Morley  
Marland, Margaret  
Martiniuk, Gerry  
Maves, Bart  
Mazzilli, Frank  
Miller, Norm  
Molinari, Tina R.  
Munro, Julia  
Mushinski, Marilyn  
Newman, Dan  
O'Toole, John  
Ouellette, Jerry J.

Runciman, Robert W.  
Sampson, Rob  
Snobelen, John  
Spina, Joseph  
Stewart, R. Gary  
Stockwell, Chris  
Tascona, Joseph N.  
Tilson, David  
Tsubouchi, David H.  
Tumbull, David  
Wettlaufer, Wayne  
Wilson, Jim  
Witmer, Elizabeth  
Wood, Bob  
Young, David

**The Speaker:** All those opposed to the motion will  
please rise one at a time and be recognized by the Clerk.

**Nays**

Agostino, Dominic  
Bartolucci, Rick

Curling, Alvin  
Di Cocco, Caroline

Marchese, Rosario  
Martel, Shelley

**Clerk of the House (Mr Claude L. DesRosiers):** The  
ayes are 49; the nays are 35.

**The Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled  
as in the motion.

**ORAL QUESTIONS****WALKERTON TRAGEDY**

**Mrs Sandra Pupatello (Windsor West):** My ques-  
tion is for the Acting Premier. Yesterday on the witness  
stand, former Minister of the Environment Brenda Elliott  
said "I don't recall" 41 times.

Today Norm Sterling picked up where she left off.  
The former Minister of the Environment, Norm Sterling,  
was asked about a letter he received from the Minister of  
Health citing major concerns around loopholes in drink-  
ing water notification. Norm Sterling said the letter was  
"no big deal." It's hard to believe it was no big deal.

The letter he received and responded to caused yet  
another letter to be received by him from the next  
Minister of Health.

I'm asking, how do we get to the bottom of this at the  
Walkerton inquiry when it's very difficult to be con-  
stantly hearing, "I don't recall," and "It's no big deal"?  
To the Deputy Premier: how are we going to get to the  
bottom of the Walkerton inquiry?

**Hon Jim Flaherty (Deputy Premier, Minister of  
Finance):** To the Minister of the Environment.

**Hon Elizabeth Witmer (Minister of the Environ-  
ment):** I think the member opposite can appreciate the  
fact that the inquiry and the investigation are still on-  
going. Obviously all of the information that is being  
presented by individuals appearing will be very carefully  
considered. As a result of the information that is received  
by the inquiry, recommendations will be made, and it's  
those recommendations that we look forward to seeing  
and implementing.

**Mrs Pupatello:** Today, Norm Sterling talked about  
the loopholes on the witness stand, loopholes that were  
brought to his attention repeatedly. He said about those  
loopholes that his own ministry officials told him not to  
worry about the loopholes. He said he couldn't recall  
which officials said that. That's hard to believe.

I have in my hand, and we are now sending over, a  
confidential government document that shows very clearly  
that his own officials were very worried. In fact, they

said in writing the exact opposite of what Norm Sterling said on the stand today. Minister, given this evidence, how can we believe anything Norm Sterling says on the witness stand?

**Hon Mrs Witmer:** Again, I would hasten to add to what I've just said in response to the statement and the question that has been asked by the member opposite that I would just remind her that this is an inquiry that is taking place at the present time. Obviously there are people who are very carefully considering all of the information and all of the testimony that's being provided. It's not our job to prejudge the investigation. It's not our job to prejudge what the recommendations may be. But again I would hasten to add that we do look forward to the recommendations.

**Mrs Papatello:** Minister, it's your job to tell the truth. The inquiry is about the truth. Minister, it's about the truth. Today, Norm Sterling said that he was told not to worry by officials, officials he refused to name.

*Interjections.*

**The Speaker (Hon Gary Carr):** Please take your seat. Order.

The member can continue.

**Mrs Papatello:** His own ministry officials reported to him documented concerns since 1997 raised by the operations division of the Ministry of the Environment dated August 21, 1997. It said, "The main points centre on non-reporting of drinking water quality." It said the main concerns were on the notification protocol being obsolete. Those are very powerful words and they are the words that led to the Walkerton tragedy.

Today you expect the world to believe, the public of Ontario to believe, Norm Sterling citing phantom ministry officials, when these officials said in writing the exact opposite to what he said on the stand today. Minister, how can we expect to believe anything he says on the stand today?

**Hon Mrs Witmer:** We all agreed that a very comprehensive review would be undertaken by Justice O'Connor regarding the tragic events that occurred in Walkerton. It's up to the inquiry to come to conclusions. I don't believe we should be prejudging or making some statements that would not take into consideration their final recommendations. That is the job of the inquiry.

**The Speaker:** New question.

**Mr James J. Bradley (St Catharines):** I have a question for the Deputy Premier. So far at the Walkerton inquiry we've heard from a former highly respected medical officer of health for the province of Ontario and from two ministers who have amnesia, whose answers can best be described as extremely evasive. Dr Schabas, the former medical officer of health of Ontario, prodded then Health Minister Jim Wilson to fire a warning rocket at Norm Sterling about the dangers of the drinking water cuts in the Ministry of the Environment.

You have been a minister of several portfolios. Can you believe a minister could possibly feel that such a letter was not of the utmost importance and should not be followed up thoroughly by that minister?

**Hon Mr Flaherty:** To the Minister of the Environment.

**Hon Mrs Witmer:** In response to the information and the question that has been raised by the member opposite, again I would hasten to encourage all members in this House to remember that there has been a commission set up to thoroughly look at and examine all of the issues related to Walkerton. It would be inappropriate for us to prejudge the recommendations, to prejudge the outcome without all of the information being very, very carefully considered.

**Mr Bradley:** Minister, we know that the government kept two sets of books when it came to the situation of cutting the budget and the staff of the Ministry of the Environment, two different versions of the consequences of the mindless cuts to the budget of the ministry of which you are now minister, the Ministry of the Environment, one for the public and one for yourselves.

Norm Sterling says there was some phantom bureaucrat out there, some phantom official or officials in his ministry, who said, "There was no need to worry," yet I have a leaked document that says the following: "Concerns regarding the ODWOs"—Ontario drinking water objectives—"were raised by operations division, Ministry of the Environment in a memo sent to program development branch dated August 21, 1997. A number of issues were brought forward, with the main points centring on the non-reporting of drinking water quality by smaller" communities, "the cost to smaller" communities.

Who should I believe, Norm Sterling on the stand or the author of the document that says there's a real danger to drinking water in this province?

**Hon Mrs Witmer:** I would remind the member opposite that the inquiry is carefully reviewing millions of documents. There is a tremendous amount of information related to the tragedy that occurred in Walkerton. I would encourage him to allow the members of the commission to carefully consider all the documentation, to listen to all those people who have been asked to appear and to not prejudge the outcome or the recommendation.

**Mr Bradley:** We have a former Minister of the Environment on the stand who has been contradicted by information found in a government document, totally contradicted. We have the former Ontario medical officer of health, Dr Richard Schabas, who says that the Premier of this province turned his back on public health in this province. Isn't it true, Minister, that the whole bunch of you in the cabinet knew what was going on and that you decided to ignore the warnings of Dr Schabas and others and that as a result seven people died in Walkerton and 2,000 people were sick?

**Hon Mrs Witmer:** I would again remind the member opposite—

*Interjections.*

**The Speaker:** Order. We need to be able to hear. Sorry, Minister.

**Hon Mrs Witmer:** I would again remind the member opposite that it is very, very important that Justice

O'Connor hear all of the evidence. We also certainly are aware of the fact that there are millions of pieces of evidence. I would just encourage the member opposite to not prejudge the outcome but to allow Justice O'Connor to take a look at what has been said, what has been presented, and to come forward with recommendations. Those are recommendations that we on this side of the House look forward to seeing.

1450

**The Speaker:** New question.

**Mr Peter Kormos (Niagara Centre):** I have a question to the Deputy Premier. Today has been another day of, quite frankly, stunning revelations at the Walkerton inquiry, yet another Conservative environment minister who stood by and did nothing while safe water was sacrificed on your altar of tax cuts. Your former environment minister Norm Sterling was asked about one of the many smoking guns in this affair. We're talking about the letter, you see, to Mr Sterling from the health minister, as he was then, James Wilson, saying that when the water testing labs were privatized, changes were needed to ensure health officials would be notified of any life-threatening results. This was the letter from the then Minister of Health to Minister of Environment Norm Sterling. Sterling admitted that he never read the letter, a letter that could have prevented the Walkerton tragedy if it had been acted on.

So tell us, please, sir, is this the legacy of the Harris government, a minister who doesn't read his mail and seven people die?

**Hon Mr Flaherty:** To the Minister of the Environment.

**Hon Mrs Witmer:** It's very interesting that the member of the third party talks about a legacy, because we are very proud of the fact that we announced the drinking water protection regulation in August 2000. Certainly we're very pleased that we have taken measures to ensure the safety of the water. Unlike the NDP, which in their throne speech of November 1990 said, "We will act to protect our supply of clean water.... As a first step we will introduce a safe drinking water act to set standards for water treatment and protect our people's health and safety," we took that action.

**Mr Kormos:** Notwithstanding that Sterling didn't read the letter of warning from Health Minister James Wilson, he wrote a reply nonetheless. His letter responding to Wilson was one that said basically, "Don't worry, be happy." The letter said that the existing voluntary drinking water objectives were fine and there was no need to change the law. We all know that turned out to be tragically wrong. But, you see, somehow Sterling can't remember a thing about this crucial decision. Just like Brenda Elliott yesterday, there seems to be a collective cabinet amnesia around Walkerton.

A letter from a minister to another minister about a life-and-death matter, and it looks like the minister didn't even read it before signing it. Is this how your government does business? Is this how your government protects the public?

**Hon Mrs Witmer:** If there was an act of omission, it was certainly something that obviously your government omitted, because again I come back to the fact that in your throne speech of 1990, you said that you were going to protect water, that you were going to introduce a safe drinking water act, and that never, ever happened.

We can all talk about acts of omission, and certainly I think all governments have omissions.

**Mr Kormos:** It was your Minister of Health who sent the letter of warning to Minister of Environment Sterling, and it was Minister of Environment Sterling who never read the letter, but then nonetheless replied, saying, "Don't worry, be happy."

In addition, you should know the evidence today revealed that although Sterling has no recollection of this, his letter to Health Minister Witmer said he would welcome a review of the drinking water objectives. Witmer wrote back and said she was gratified by his response.

What happened then? There was still time to take action and prevent the tragedy, but this is what Sterling told the inquiry: he doesn't recall reading Health Minister Witmer's letter. He never followed up on the drinking water objectives. In fact, and this is stunning, this is shocking, Sterling never even read the drinking water objectives until two weeks ago, when he was being prepared, woodshedded, for this inquiry.

My question is to the Acting Premier. Your minister in this government, Brenda Elliott, told the inquiry yesterday that you're all responsible for Walkerton. When you get letters from other ministers, when you send letters to other ministers, do any of you bother reading them?

**Hon Mrs Witmer:** The member opposite needs to remember that all the evidence needs to be presented to the inquiry, to Justice O'Connor. There are currently presentations being made and there is information—thousands and thousands of documents—that is being considered. Again, I would encourage the member opposite not to prejudge and to ensure that we await the recommendations after they have been very carefully considered by the commission.

## YOUNG OFFENDERS

**Mr Peter Kormos (Niagara Centre):** My question once again is to the Deputy Premier, and it's about young offenders. We've just learned that you're playing fast and loose with public safety in a cynical attempt to break the union at Kennedy House in Uxbridge, Ontario. Over the past few weeks your government, through its ministry, has either granted early release or transferred out to open custody about 60 young offenders from the secure Uxbridge facility. You're sending these young offenders from a secure facility to open custody facilities that are already overflowing with offenders and don't have the staff to handle them.

This is a high-stakes game you're playing with public safety. Many of these young offenders that you're moving into open custody are highly dangerous and very likely to reoffend. How can you justify giving dangerous young offenders a free pass to go out and reoffend?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** I'm not familiar with the Kennedy House issue which the honourable raises. I'll undertake to look into it and get back to him about the particular questions he may have. If he has additional concerns about that issue, other questions he'd like to ask, he can put them and I'll look into it. I have not heard about the issue he has raised.

**Mr Kormos:** Deputy Premier, I suggest that you look to your Minister of Community and Social Services and, in view of your unfamiliarity with this issue, refer this matter to him.

You see, for a government that talks a big game about getting tough on crime—and, boy, you guys have—you're awfully quick to throw public safety out the window when it comes to serving your union-bashing agenda.

Your ministry is actively jeopardizing public safety by authorizing early releases and the transfer of these young offenders into less secure spaces. Many of these inmates would be serving up to five years in jail if they were adults. Some of them were in open custody before they went to Kennedy House, but they caused so much trouble that they were transferred back to Kennedy in Uxbridge, which is a secure facility. Between sending them into open custody and simply sending them back on to the streets—you're doing both—you're flirting with disaster. Is it worth putting public safety at risk just to beat down and beat up on a union?

**Hon Mr Flaherty:** The member for Niagara chose to ask the question of me. I'm not familiar with the subject matter. He now suggests that another minister would be familiar with the subject matter. We'll look into it and get back to him to try to respond to the questions he has raised.

## HOSPITAL FUNDING

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** My question is for the Minister of Health. You know that Ontario hospitals are underfunded. They need \$700 million this year if they're going to keep their doors and their beds open for patients. You've promised hospitals there will be more money, but you haven't said how much and you won't say when the money is coming.

On Monday you presided at the opening of a new wing of Toronto East General Hospital. Maybe for the first time ever, people who came to see you cut the ribbon were told this multimillion-dollar facility would never actually open unless you come up with some money to run it. On Monday you seemed to want to assure Toronto East General that money would indeed be coming. So we have a lot of promises, but so far we have no delivery.

My question today is, how are you going to keep these promises of more funding to hospitals when you are actually planning to spend \$250 million less on hospitals this year than you did last year?

**Hon Tony Clement (Minister of Health and Long-Term Care):** To quote the honourable member's col-

league from Windsor West, it's your job to tell the truth. And the truth of the matter is we're not spending less this year; we're spending more this year on hospitals. That has been the case over the last three to four years. Indeed, spending for hospitals since the 1998 year has gone up. We are proud of that record. We are proud of the fact we're putting in more money for doctors' services, \$375 million a year for nursing services. Indeed that is our practice.

**1500**

Do the hospitals have to be accountable for the dollars they're spending? Of course they do. But are they places where citizens expect excellent health care from the deliverers of those services? Of course they are. We are reviewing the operating plans of all the hospitals, which is why we cannot make an announcement on Toronto East General, just as we cannot make an announcement for 164 other hospitals, until we have reviewed all the operating plans to ensure they can deliver the most excellent services at a cost that is acceptable.

**Mrs McLeod:** That's fine, Mr Speaker—something that is so far from the truth. It seems they've been having difficulties today establishing a standard for truth.

Minister, I claimed after the budget—

*Interjections.*

**The Speaker (Hon Gary Carr):** Quiet down over there right now. I let you guys go, and typically, you push and you push and you push. So now I'm going to have to crack down on you. The language gets worse and worse and worse. Then the minister gets up and repeats what's on this side. So now I'm going to crack down. Be very careful what you say or I'll throw you out.

Sorry. Proceed.

**Mrs McLeod:** I wasn't sure, Mr Speaker, whether that was directed at me in my attempt to establish a basis for understanding what is reality.

Minister, I claimed after you presented your budget that you were going to cut a million dollars from hospital budgets—not my figures but the Ontario Hospital Association's figures. It turns out I shortchanged your willingness to hack away at hospital budgets even more. What I have here today, Minister, is the only recourse I have for what is fact. It's your estimates book, tabled this week. Your estimates book says you spent \$8.7 billion on hospitals last year and says equally clearly that you plan to spend \$8.4 billion on hospitals this year.

Minister, I ask you again, when hospitals are facing deficits of \$700 million, when they're going to have to lay off nurses and close beds, how can you be planning to cut—

**The Speaker:** The member's time is up.

Minister of Health?

**Hon Mr Clement:** The answer to her question is that she's incorrect. Estimates are called estimates for a reason: they're estimates. Her assumptions are incorrect, her analysis is incorrect, her conclusions are incorrect—she's incorrect. We are going to be spending more money for hospitals this year than last year, which was more

money than the year before and more money than the year before that. That is our commitment.

Now, part of our job is to review all the operating plans to make sure the dollars that are spent on behalf of the taxpayers actually achieve better results for the patients of those hospitals. That is why we are reviewing the operating plans.

If the honourable member wants to be helpful, call your local MP so that they can be part of the solution as well, because the Liberal MPs from Ontario aren't doing their job to ensure we have better health care for the citizens of Ontario. That's the problem.

**The Speaker:** Point of order. Stop the clock.

**Mrs McLeod:** —Minister of Health to table the obviously second set of books which are being kept on health care—

*Interjections.*

## MINISTRY OF NATURAL RESOURCES

**Mr R. Gary Stewart (Peterborough):** My question is for the Minister of Natural Resources. I believe the people of Ontario have a right to participate and be well informed about environmental decision-making. This is why there is an Environmental Bill of Rights registry, and why the government posts many such items on the Internet for all to see.

Last week the Environmental Commissioner brought to the attention of the House the issue of some remaining instruments at MNR that needed to be regulated. Minister, can you tell this House what action you have taken to respond to the concerns raised in last week's report?

**Hon John Snobelen (Minister of Natural Resources):** I thank the member from Peterborough for the question. I know it's one that's on the minds of many people in this chamber.

Last week the Environmental Commissioner did come out and talk about some instruments that were lacking. At the time, I expressed great regret in an apology to the Environmental Commissioner for not having those instruments in place. I made the statement that all the members of this chamber agree with the EBR and the EBR registry.

I also committed to report back this week on what steps have been taken to correct the situation. I am pleased to announce today that the EBR instrument regulation will be filed very shortly and will posted for all to see before July 16 of this year.

**Mr Stewart:** Minister, thank you for taking quick action. As we all have the same intention in mind, it's a good thing this omission was brought to our attention and is now being rectified.

For people who don't know what we are talking about, and there are lots of them—God, there are lots of them in this House, especially the ones over there who don't pay any attention whatsoever—can you tell us a little bit about the EBR registry and the kinds of MNR items currently being posted there?

**Hon Mr Snobelen:** The vast majority of the items that come before the Ministry of Natural Resources are now posted on the EBR. They include matters that relate to forestry, water management, parks and new protected areas, fish and wildlife, fire and prescribed burns and of course Niagara Escarpment decisions. A vast majority of the policy issues that come before the ministry are posted on the registry because we invite the opinions of the public. It's particularly useful to know what the ramifications of various policy decisions and certifications might be. We have used the EBR extensively and we look forward to using it even more extensively in the future.

## AIR QUALITY

**Mr James J. Bradley (St Catharines):** I have a question for the Minister of the Environment.

**The Speaker (Hon Gary Carr):** Stop the clock. I believe she is here. She should be here shortly. Oh, there she is coming the other way. The member for St Catharines.

**Mr Bradley:** Minister, this morning I attended a media conference held by the Ontario Medical Association, a highly credible, highly respected organization—not radical, not anti-government—that does its research very well. At the press conference they said you're making absolutely no progress in dealing with air quality problems in this province. They said in fact that sulphur dioxide emissions from former Ontario Hydro thermal plants have increased about 15% to 20% since 1997. While levels have decreased for some pollutants, they say that most of this decrease occurred in the early 1990s. Recently, most pollutants show no change or an increase in ambient concentrations.

In other words, they presented a very credible case today that you're making no progress in dealing with smog, and we have our sixth smog alert today. Minister, do you not agree with the Ontario Medical Association that in fact you have abandoned any attempts to significantly improve the quality of air in this province?

**Hon Elizabeth Witmer (Minister of the Environment):** If the member had truly been listening to the presentation made by the OMA, as certainly we did—in fact, I want to just compliment the OMA for the efforts they're making to continue to focus on the adverse effects of smog, the adverse effects it has on the health of people in this province.

I have to tell the member opposite that I welcome their report card and I also continue to take their recommendations seriously. But I just want to quote from what the OMA said today, which was, "Together, we must all take action, and by 'we' I mean all levels of our community, whether it be as governments, corporations or individuals." That's exactly what we plan to do. We plan to be part of the solution to the problem along with other governments, corporations and individuals.

**Mr Bradley:** According to the medical association, the best they could give you was a C minus in dealing with air quality. I've got some suggestions for you on

some things you might do that could improve the environment in this province.

First of all we have Dr Schabas, a former medical officer of health of Ontario, saying that you've turned your back on public health in Ontario. You have the OMA saying that you're not doing sufficient to deal with air quality in this province. Minister, when are you going to bring in a comprehensive, mandatory—not voluntary—set of regulations and legislation to force polluting industries to significantly reduce the number of pollutants they're putting into the atmosphere? When are you going to invest in public transit, something your government completely abandoned? When are you going to convert the largest single source of pollution in this province, the Nanticoke generating station, which belches out coal, which belches out sulphur dioxide, NO<sub>x</sub> and 30 other contaminants, to natural gas?

1510

**Hon Mrs Witmer:** If we take a look at the OMA's 1998 recommendations coming out of their report, there were recommendations to this government, the United States, the federal Liberal government, the city of Toronto and physicians. I'm very pleased to say that they asked for more stringent caps on SO<sub>2</sub> and NO<sub>x</sub> emissions. We introduced those caps on March 26 of this year.

They asked for disclosure provisions to provide public reports showing emissions data. We did that. We finalized the regulation on May 2, 2001, that requires the mandatory tracking and public reporting of 358 air pollutants.

They asked Ontario to petition the US EPA to require sulphur dioxide and NO<sub>x</sub> emission reductions in the United States. I'm glad to say we did respond. We supported the United States' EPA in their defence and we successfully intervened.

They asked us—

**The Speaker:** Order. I'm afraid the minister's time is up.

## CARIBANA

**Mr Steve Gilchrist (Scarborough East):** My question is for Minister of Tourism, Culture and Recreation. Last week our government announced that this year's Caribana festival will receive \$353,000 in provincial funding. I was pleased to represent you at the media launch of the Caribana festival just earlier this week. I'm going to tell you that the organizers were very pleased and recognized that were it not for the provincial grant, there would have been no Caribana this year.

Torontonians look forward to the Caribana parade every year. As you know, it is not only a key tourist attraction for the city of Toronto; it is also a celebration of Toronto's and Ontario's rich cultural diversity.

I'm delighted that this funding has guaranteed that the organizers will be able to stage the Caribana parade this August. But I'm more concerned about the long-term future. Can you tell me if you have a long-term plan so

that Torontonians can count on a successful parade in years to come?

**Hon Tim Hudak (Minister of Tourism, Culture and Recreation):** Thank you, member for Scarborough East, for the question. I want to thank him too for being at the launch of Caribana earlier this week. I want to thank the Toronto members for their advice on the Caribana festival, particularly Scarborough East, Scarborough Centre and Scarborough Southwest for their commitment to ensuring that Caribana is a success not only this year but for the next years. Yes, we do have a plan to work with Caribana to make sure this largest cultural celebration that attracts hundreds of thousands of visitors, bringing business to our hotels, our shops and our attractions and millions of dollars to businesses here in the city of Toronto, will not only continue but flourish in the long run. We want to engage in a long-term planning process. One example: we want to help Caribana access corporate donations to ensure that they are strong and flourish in the long run.

**Mr Gilchrist:** I know that the funding you've given is in stark contrast to what was done by the previous two governments. They were always very supportive in words, but their deeds did not exactly match their rhetoric. I couldn't agree with you more that the festival needs to attract strong corporate partnerships in order to become independent and to have a sustainable future. How does the government precisely plan to help the Caribana board develop those partnerships and achieve that goal?

**Hon Mr Hudak:** Again I want to thank the members for Scarborough East, Scarborough Southwest and Scarborough Centre for their advice on what is a three-point plan in particular. First of all, we want to work with Caribana's organizing committee to develop a marketing plan to promote the event not only this year but into the future. We also want to work with the committee to make sure we can access corporate donations to show business support on a sustainable basis. Also, I look forward to the province of Ontario having a seat, with the city of Toronto, on an advisory committee established by the city to help Caribana ensure it has efficient operations and manages the funding for this year's parade as well as into the future.

I'm pleased to say the committee has already had some progress and is proceeding with the restructuring plan to help them better manage resources, funds and volunteers. We look forward to working with them to ensure Caribana in 2001 is a success and builds for a long-term sustainable parade into the future.

## PRIMARY CARE REFORM

**Ms Frances Lankin (Beaches-East York):** My question is to the Minister of Health. Your government has been in office for six years now and for six years we have been asking you to make progress on primary care reform. For six years you've been spinning a communications line about the pilot projects you have out

there and telling us that you have promised targets. In fact, specifically you have told us that 80% of family doctors are going to be enrolled in the Family Health Network by March 2004. Now we find out that of the seven pilot projects you have touted as being highly successful, two have been cancelled and the other five are in trouble.

Minister, primary care reform is an absolute centre-piece to health care reform. For six years you have not delivered. For six years you have promised us and that promise has gone unfulfilled. Are you really committed to doing this, and what are you going to do to make that promise come to a reality?

**Hon Tony Clement (Minister of Health and Long-Term Care):** May I be the first to officially congratulate the honourable member for the passage of the patient restraint bill, which we on this side of the House think is an excellent bill as it has been reworked by the honourable member. She spent a lot of time on it and certainly I think it'll assist us in providing better health care for Ontarians.

I want to update this House because other people might have read the same article she did. There are some inaccuracies in the article. The Parry Sound pilot project is in fact ongoing; it has not been cancelled. The Thunder Bay project actually never was followed through on; it was not cancelled because it was never started.

I can tell the honourable member—

*Interjections.*

**Hon Mr Clement:** That's an inaccuracy in the article. So from our perspective, I can assure the honourable member that from our side of the House—

*Interjections.*

**Hon Mr Clement:** They're not serious on the opposition Liberal side. Clearly they've got to spend more time lobbying the federal MPs, but from our side of the House, family health networks, primary care reforms—

**The Speaker (Hon Gary Carr):** The minister's time is up. Supplementary.

**Ms Lankin:** I'll have an opportunity to give my thanks on the record for the minister's support on the bill at another time.

I'm not sure what you're saying about these seven pilot projects, because for a number of years you and previous ministers of health have been standing in this House and telling us that there are seven successful pilot projects. Now we find out that one of them never got going. I guess it was an estimate of a pilot project, just like now you tell us you're going to spend more on hospitals than what you've tabled in your estimates, which of course you can't do without supplementary estimates being brought forward to this House.

Minister, it's very hard to pin your government down on real progress on health care reforms that are going to build a sustainable system of medicare. Without primary care reform, without community based primary care reform, it won't succeed. At times I am of the suspicion that you really don't want it to succeed. Do you believe in the sustainability of medicare? When will you deliver on primary care reform in this province?

**Hon Mr Clement:** We do believe in the sustainability of medicare and we are delivering on primary care reform. The honourable members laugh and think it's jolly on the other side of the House, on the Liberal side, but I can tell this House that we didn't have seven pilot projects, we had 14 pilot projects, so we can say that Thunder Bay was replaced by seven—in Hamilton, Chatham, Paris, rural Kingston, Ottawa, Parry Sound—175 physicians, 225,000 patients.

This is on track, it's ongoing and it's going to be a success. This side of the House, the NDP, have supported us all the way. All that side of the House can do, the Liberal side, is laugh. Laugh if you will, but we believe in primary care reform, we believe in medicare and we believe in a better standard of health care for the citizens of Ontario. Laugh if you will, because you can laugh on that side but you don't know how to govern.

## STUDENTS WITH SPECIAL NEEDS

**Mr Gerard Kennedy (Parkdale-High Park):** Would that there was some way we could laugh along with the minister. This minister, the Minister of Education, whom I have a question for, I hope will do better.

I want to ask the Minister of Education about her cuts and her funding figures, but what's happened isn't funny at all. Yesterday in the House there were nine parents and they came with me to the estimates committee. They listened to the Minister of Education not answer what she is going to do, this Minister of Education, for their children, who because of the cuts coming from this House are not going to be able to have their kids in school next year.

Their education assistants have been taken away from them, Minister. You've heard from boards that have been faced with two bad choices. Either they remove essential learning services or, as in Kawartha Pine Ridge and Ottawa, they don't pass budgets. This is a direct result of your inability to secure the funds we need in this province to educate our children.

I wonder if you will stand up in the House today and finally answer those parents of special-needs children, answer the people around the province who are finding out in their communities that education is being cut, and tell them you will do something to change that circumstance.

1520

**Hon Janet Ecker (Minister of Education, Government House Leader):** As I answered the honourable member yesterday in committee, we recognize the need to continue to improve special education in this province. That's why we have continued to increase funding. There was a 12% increase alone last year for special-needs education.

Second, we are putting standards in place and clear accountability measures so that school boards are quite clear about the programming they should be providing and so that parents are quite clear about the programming

their students should be able to receive. Those steps are underway right now.

I met with several of those parents yesterday to talk about the individual circumstances of their particular children. I also should say that one of the parents the honourable member brought into the House yesterday called me over to talk about the improvement in services that her child had received.

I recognize there are improvements that need to be made. The parents who are taking care of special-needs children advocate very hard on their behalf. Any one of us would do the same in their place.

**Mr Kennedy:** These parents have said, clearly and in writing, that they hold this minister responsible. They accept none of that misdirection. They know, Minister, that independent figures have shown that you have cut funding to schools this year. They can see it in their communities and these families can see it in their households. They've got kids that they've struggled to try and get treated with decency and respect and you have said nothing so far about what you will do for the school boards across the province that are having to make these painful cuts. They have carried these programs for years and the minister knows that the funding has not been there.

There are textbooks missing, there are teachers missing, there are special education assistants gone missing. I want to know very simply, to the parents and soon to this province, will you be working right away to help put back what students need: for these to go to school and everyone else to get a decent education in this province?

**Hon Mrs Ecker:** There is nothing to put back because we are spending more on education, on the public education system—in this coming school year, \$13.8 billion. That is an increase above enrolment.

**Mr Kennedy:** Seventy-five million less.

**Hon Mrs Ecker:** If the honourable critic would be quiet for a minute he might be able to listen to this. That is more.

Second, we also recognize that more needs to be done in special education. But again, I would like to point out to this House that one of the changes in rules we brought in was a law that said school boards were accountable for special-needs funding. They couldn't spend special-needs funding outside that envelope. We thought that was an appropriate accountability measure. The honourable members of the Liberal Party voted against that. They voted against an accountability measure that said school boards have to use special-ed money for special-needs children.

We know there need to be improvements. These parents need the continued support, they need more help, and that's why we are taking these steps to do—

**The Speaker (Hon Gary Carr):** New question.

#### INVESTIGATION INTO CHILD ABUSE

**Mr Garry J. Guzzo (Ottawa West-Nepean):** I have a question for the Solicitor General. During its investigation at Cornwall, the Ontario Provincial Police entered

the home of an Ontario probation officer pursuant to a search warrant authorizing the seizure of arms and narcotics. None were found. But without a warrant for the next-door neighbour's home, they entered the home of the neighbour of the probation officer and again found no trace of arms or narcotics in that home. They did, however, seize a suitcase containing 24 or more pornographic movies. Some of these were commercially edited and sold and some were homemade, some from a camera mounted at the foot of the probation officer's bed. That suitcase and contents have been identified as the property of the probation officer, who committed suicide before his trial.

Mr Minister, this evidence, these films, have been in the hands of the OPP for over six years. The evidence has never been tendered in court proceedings and indeed many of the predators in these movies, both the commercial movies and the homemade movies, have never been charged. I'd like to ask you, sir, where those films are located at this time, and when will this evidence be returned to the estate of the probation officer, which it should be by law?

**Hon David Turnbull (Solicitor General):** Let's be very clear: our government does not tolerate the abuse of children in any manner. Our thoughts are certainly with the entire community of Cornwall.

The member knows that it is inappropriate for me to comment on specific investigations. As Solicitor General, I cannot and I will not direct the day-to-day operations of any police service.

As you are aware, the Harris government is committed to protecting children from abuse of all kinds, particularly sexual abuse. I was extremely proud to bring in Christopher's Law, the first sex offender registry in this country.

The OPP's child pornography section is the largest such unit in Canada and is looked upon by other police services as the lead agency for investigations of this type of crime.

**Mr Guzzo:** Mr Minister, I'm not asking you to comment on any investigation; there's no investigation going on.

I want to tell you this: on November 22 of last year, when I was debriefed by the OPP, visited by Detective Inspector Hall, the lead investigator for Project Truth, and one of his superiors from Orillia, I put that same question to Detective Inspector Hall. Here was his answer. He said, "Mr Guzzo, we don't have those tapes. We don't have those films any more. We destroyed them."

I said, "No, no, you can't destroy evidence in this province. That's against the law." He said, "The man was dead; he wasn't going to be charged."

I said, "What about the other people in the movies? What about the kingpins of this organization who were also seen in those movies?" He shrugged his shoulders, the same way he did when he couldn't explain the 115 charges that were missed three times.

But here's the good news: copies of some of those movies have been found. My question to you is, what should we do with those? The citizens' group has them. What should they do? The Premier has said, "Give them to the OPP," but the citizens' group says, "They may destroy these ones too." They've been very expensive. What would you recommend that these people do with the copies of these films that they found, sir?

**Hon Mr Turnbull:** Clearly, any evidence that is in the hands of citizens should be handed over to the OPP. It's very clear that the integrity of the justice system rests on our ability to proceed without interference.

I want to mention that since July 1997, when Project Truth was initiated, 115 charges have been laid against 15 people. I've mentioned in this House before that charges may still be pending, and the book has not been fully closed on whether further charges are to be laid. Any further comment by me would be inappropriate.

### DOCTOR SHORTAGE

**Mrs Sandra Papatello (Windsor West):** My question is for the Minister of Health and it concerns the press conference he held last week regarding foreign-trained physicians. Minister, I'd like to know how you continue to make announcement after announcement so that it appears as though you are actually doing something in very crisis situations like physician-underserved areas, when in fact after you make announcements, there is no information available to any of us to try to get foreign-trained physicians to access the system to become licensed to practise in Ontario.

Following your announcement last week, you now have the College of Physicians and Surgeons acting as a receptionist for thousands of people who are making calls of inquiry to enlist themselves to become licensed to practise in Ontario.

Why do you continue to make announcements outside of this House or in this House when you have no details, no plans and no information to actually process people who have been waiting and have pinned their hopes on the announcement that you made last week and to which there is no further information?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I'm happy to inform this House, as I have done in response to a question from the member for Durham earlier last week, that in fact we are moving ahead with 140 physicians a year, 90 new positions a year for international medical graduates. That is up from 36 positions a year. We indicated it would start in the fall of this year, which is on track. We are moving toward additional details for the fall.

I can tell you that the College of Physicians and Surgeons by law is the place through which these international medical graduates would be processed and assessed. By law, that would be the place you would have the interaction between the potential graduate and our society. I have been informed that the CPSO is getting 50 calls a day, which is wonderful. It shows

there's a lot of interest for new medical graduates to go to underserved areas and practise their profession in underserved areas like the honourable member's.

1530

**Mrs Papatello:** You have thousands of people who are waiting for information about your new six-month assessment program. That's what you announced last week. We ask the most basic of questions: can they continue to work? What does the assessment consist of? Is it of their medical training? Is it of the individuals themselves? Do they do it in Windsor or do they move to Toronto? What cost? There are all these very basic questions, which would change these people's lives, in order to become licensed to practise in Ontario, and those most basic questions could not be answered, not by you—you didn't know and you said so—not by the college itself—they haven't sorted it out yet. All you did was hold a press conference to make an announcement to say that now you might consider what you might do about the problem.

We are tired on this side of the House of your making announcement after announcement but nothing ever comes to fruition. You want to put on a big show, but you don't want to do the work that's involved to get these people practising in Ontario. We have a desperate situation in Windsor with a shortage of physicians and it's incumbent on you to do something about this. We don't expect just announcements; we expect the Minister of Health to do the work before he makes such announcements.

**Hon Mr Clement:** We were happy to announce that government policy has improved as a result of the George report recommendations. We not only accepted the George report recommendations, we improved on the George report recommendations, because we felt that international medical graduates are an immediate source of medical expertise that can be shared with underserved areas in Ontario, including the honourable member's constituency. The announcement was that government policy has improved, government policy has changed for the better and this is good for the people of Ontario.

The honourable member wants to know the answers. There are answers to all those questions, if not now then certainly in the weeks ahead as we move toward the September date at which this policy becomes operative. I'd be happy to send the honourable member more information if she's confused about or doesn't understand the government announcement. I want to educate her because her area is going to be one of the main beneficiaries, an underserved area that is going to have international medical graduates willing to practise, willing to serve the people of Ontario. Her area, as a result of this government, is going to be improved and we are very proud of that.

### EDUCATION FUNDING

**Mr Joseph Spina (Brampton Centre):** My question is for the Minister of Education. Unlike the member from

Parkdale-High Park who has grandstanding parades of sympathizers, I usually base it on my gut instinct and look at the realities. In Peel I know of very few schools with swimming pools, but the Toronto District School Board has been engaging in a very public debate about its budget allocation for the next school year. Can you assure me and the House, Minister, that the government's student-focused funding policy is meeting students' educational needs in Toronto?

**Hon Janet Ecker (Minister of Education, Government House Leader):** All the school boards are very familiar with the criteria they are eligible for. They recognize the unique needs of board circumstances. The Toronto board gets significant monies for their inner-city needs; for example, for their ESL needs. Toronto District School Board funding this year is projected to increase by \$43 million and that's a 2.3% increase over last year's spending. That's an increase when you look at their enrolment. Their enrolment is virtually stable at about 0.2%, so it has gone up.

Secondly, we recognized the challenges the Toronto board had in amalgamation and the steps they had to take. They've received over \$900 million specifically for the Toronto board. I know other boards see that as special treatment for Toronto, but we thought the over \$900 million was important, and \$248 million of that was a one-time disbursement last year, money that is to help them make the difficult decisions about living within their budget.

**Mr Spina:** Minister, it's clear from your answer that the government seems to have provided the appropriate amount of funding to the board, but it's apparent the board still needs help in controlling its spending. I wonder whether any of the half-dozen board offices from the previous boards are still around. They recently made some cuts to a variety of programs that would negatively affect students in board schools. Minister, as the board prepares to vote on its budget tonight, can you assure us that the taxpayers of Toronto and the parents of students have explored all the appropriate cost-saving options? Are some of those board offices still standing? I don't know.

**Hon Mrs Ecker:** Many school boards have asked for assistance in preparing their budget. Staff certainly have attempted to give what advice and information they can to boards. The Toronto board has been no different. There have also been studies that have offered the board guidance on where they can find administrative savings. By their own estimates, they can find savings and still provide programs.

As a matter of fact, some of their own trustees have come up with other alternatives. If you look at some of their own figures over the past three years, they could have had \$190 million worth of savings in administration if they had made those decisions. We believe they must continue to focus on reducing administrative costs, so that we can keep the focus on classrooms, and recognize that living within a budget, whether it's for trustees or any level of government or someone's own household

budget—it's a challenge to set those priorities and do it, but it's something all school boards have been asked to do, as this government does and other governments and organizations do.

## HOME CARE

**Mr Gilles Bisson (Timmins-James Bay):** My question is to the Minister of Health. I want to bring to your attention the case of a constituent in my riding, Judy Dubeau. Her mother, unfortunately, is terminally ill. With the care she was receiving at her chronic care facility, the family felt that because the minimal level of care she was getting was not enough to meet the needs of the mother, the daughter and the rest of the family decided to bring the mother home. The reason they did so was they felt they'd be able to provide the best level of care by caring for her themselves at home. As a result, Judy has had to quit her job in order to stay at her place. They're trying to get services from the CCAC. Unfortunately, they're not able to get the level of care they need. Why? Because your government refuses to give the money necessary to CCACs to provide the type of care these patients need.

Minister, I ask you, for the rest of the family and our community, are you prepared to provide the level of service needed to Judy Dubeau's mother so that she can stay at home with dignity in her final days?

**Hon Tony Clement (Minister of Health and Long-Term Care):** Of course I don't know the details of the case or the individuals involved that the honourable member has mentioned. I can tell you that your local CCAC, when your government was in power, received \$7,683,367; this year they're receiving \$9,035,796. That's an increase of almost \$2 million, close to 20% by my calculation. There is some population growth presumably in your area, but a lot of that goes to greater care, greater home care, in your community. So if there's a particular problem of management or inability to deliver excellent services that are experienced by your CCAC, please share the details with me and I would be happy to get to the bottom of it.

**Mr Bisson:** Minister, the problem is not the management of the CCAC. Those people are working hard to provide the level of care they need to provide to citizens who need to stay at home. As they say, Minister, you stand in this House and you play with figures. You know, liars figure and figures lie. The reality is this woman needs—

*Interjections.*

**Mr Bisson:** It's a saying.

**The Speaker (Hon Gary Carr):** You get into that stuff and then the other side does it. I've asked you to try and watch what you say. When you start to do that, you borderline on it. I would ask you to withdraw that, please.

**Mr Bisson:** I withdraw, Mr Speaker.

The point I make is simply this: the woman wants to stay at home. The best level of care she can get, according to her choice, is to stay at home and be with her

family in her final days. I ask you to intervene on behalf of the Ministry of Health to make sure the CCAC gets the financial commitment it needs to provide the service necessary for this woman so she can stay at home in her final days with dignity.

**Hon Mr Clement:** Again, I'm unaware of the details. I certainly have a lot of sympathy for the family you mention. Of course we want excellent health care to be delivered either at the home or in providers of health care services. I apologize to the honourable member for citing the facts, but the facts are that there has been close to a 20% increase in the budget of the local CCAC. If there's a particular problem in their ability to make sure that money goes to the right people for the right resources, we'd be happy to work with the honourable member directly and with the CCAC to make sure that happens.

Perhaps the honourable member recalls that when he was in power it was the same as it is now: 100% of those dollars, 100 cents on every dollar we spend on home care, is spent by Ontario; zero dollars by the federal Liberal government, that proclaims it is the saviour of medicare. So maybe the honourable member and I can work together to convince the federal Liberal MPs and the MPPs in this House who are in the Liberal Party to do their bit to ensure that we have the resources necessary for people such as the person in your riding.

1540

## MOTIONS

**Hon Janet Ecker (Minister of Education, Government House Leader):** On a point of order, Mr Speaker: I would like to seek unanimous consent to revert to motions for the purpose of moving a motion to adjourn this evening's sitting, and a motion respecting the committee schedule for the adjournment, which I had discussed with the House leaders previously.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? I'm afraid I heard some noes.

*Interjections.*

**The Speaker:** Order. The government House leader would like to do another unanimous consent.

**Hon Mrs Ecker:** If they would be quiet for a minute, I will attempt to explain so that we can get this resolved. In order to not sit tonight—as you know, we had unanimous consent to not have Bill 19 this evening—we need to move a motion to that effect. I did discuss it with the House leaders and I can move that motion separately if it would assist in easing the transition here of getting through this.

**The Speaker:** On a further point of order, for some help in clarification.

**Mr Peter Kormos (Niagara Centre):** Mr Speaker, did I understand that you seek unanimous consent for a motion that permits the House to not sit this evening?

**The Speaker:** Yes. Is there consent? Agreed.

## HOUSE SITTINGS

**Hon Janet Ecker (Minister of Education, Government House Leader):** Mr Speaker, I move that notwithstanding the order of the House dated Monday, June 25, 2001, the House shall not sit this evening.

**The Speaker (Hon Gary Carr):** Agreed? Agreed.

## COMMITTEE SCHEDULE

**Hon Janet Ecker (Minister of Education, Government House Leader):** I will ask for the consideration of the House: earlier today we passed motions to send Bill 90 to the general government committee and to send Bill 81 to the justice committee. If there is consent, I would like to move that motion as well.

**The Speaker (Hon Gary Carr):** Agreed? Agreed.

**Hon Mrs Ecker:** Mr Speaker, I move that the following committees be authorized to meet during the summer adjournment to examine and inquire into the following matters:

Standing committee on general government, for up to two weeks, to consider Bill 90, An Act to promote the reduction, reuse and recycling of waste; and

Standing committee on justice and social policy, for up to three weeks, to consider Bill 81, An Act to provide standards with respect to the management of materials containing nutrients used on lands, to provide for the making of regulations with respect to farm animals and lands to which nutrients are applied, and to make related amendments to other Acts.

**The Speaker:** Mrs Ecker moves—dispense? No. You'd like me to read it.

Mrs Ecker moves that the following committees be authorized to meet during the summer—

**Interjection:** Dispense.

**The Speaker:** We tried to dispense. The member would like to hear it—adjournment to examine and inquire into the following matters:

Standing committee on general government, for up to two weeks, to consider Bill 90, An Act to promote the reduction, reuse and recycling of waste; and

Standing committee on justice and social policy, for up to three weeks, to consider Bill 81, An Act to provide standards with respect to the management of materials containing nutrients used on lands, to provide for the making of regulations with respect to farm animals and lands to which nutrients are applied, and to make related amendments to other Acts.

Is it the pleasure of the House that the motion carry? Carried.

## PETITIONS

### EDUCATION FUNDING

**Mr Gerard Kennedy (Parkdale-High Park):** "To the Legislative Assembly of Ontario:

"Whereas we believe that all education resources should be directed to our public schools, not private schools;

"Whereas Mike Harris has been attacking public education for six years, chopping \$1.8 billion from the classroom and now wants to pay parents to leave public education for private schools;

"Whereas we believe that a voucher plan for private schools is wrong, unfair and steals money from public education;

"Whereas we believe that these funds being invested in private schools would be better spent on rebuilding public education through such measures as bringing class sizes down to 20 students per class in the early years;

"We, the undersigned, petition the Legislative Assembly as follows:

"Do not turn your back on Ontario's working families. Fight Mike Harris's voucher system for private schools; fight for smaller class sizes; fight for public education."

I have here variants on this petition in the number of some 6,000 and I ask them to be submitted.

**Mr Rosario Marchese (Trinity-Spadina):** I've got thousands of names here on these petitions of people concerned about the tax credit that you've just passed for private schools.

"Whereas the announced tax credit for private school tuition will lead to government funds being directed to private education rather than the underfunded public school system that is mandated to educate all children, regardless of cultural, religious or socio-economic status;

"Whereas the education tax credit of up to \$3,500 per child, when fully implemented, will lead to an increase of students being enrolled in private schools to the detriment of the public schools;

"Whereas there will be no accountability for the use of public funds allocated through the education tuition tax credit; and

"Whereas the advocates for religious schools have indicated they will continue to seek full funding for religious education with the potential result of more public funding being diverted to private schools;

"We, the undersigned, call on the Ontario Legislature to vote to remove the education tuition tax credit from Bill 45, the Ontario 2001 budget legislation."

This has my full support.

#### DOCTOR SHORTAGE

**Mr Gerry Martiniuk (Cambridge):** I have a petition to the Legislative Assembly of Ontario.

"Whereas on September 27, 1997, Cambridge was legally designated underserved, having an insufficient number of family doctors for its citizens; and

"Whereas thousands of men, women and children in Cambridge are not cared for by their own family physician and this unfortunate situation exists in other Ontario communities;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the Ontario government substantially increase the number of family doctors in Cambridge and other underserved areas by:

"1. Permitting substantial numbers of qualified and highly competent foreign-trained family doctors the right to practise in Cambridge and other underserved areas in Ontario; and

"2. Substantially increase the number of available student spaces in Ontario medical schools and require new graduates to serve in Cambridge and other underserved areas in Ontario."

This petition is signed by over 1,500 good citizens of Cambridge and I affix my name thereto.

#### HOME CARE

**Mr Rick Bartolucci (Sudbury):** I have a petition from the community care access centre people who need home care services in Timiskaming, Cochrane and Sudbury, and it says:

"To the Legislative Assembly of Ontario:

"Whereas the need for home care services is rapidly growing in Ontario due to the aging of the population and hospital restructuring; and

"Whereas the prices paid by community care access centres to purchase home care services for their clients are rising due to factors beyond the control...; and

"Whereas the funding provided by the Ontario government through the Ministry of Health and Long-Term Care is inadequate to meet the growing need for home care services; and

"Whereas the funding shortfall, coupled with the implications of Bill 46, the Public Sector Accountability Act, currently before the Legislature are forcing CCACs to make deep cuts in home care services without any policy direction from the provincial government;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) That the Legislative Assembly direct the provincial government to take control of policy-setting for home care services through rational, population-based health care planning rather than simply by underfunding the system; and

"(2) That the Legislative Assembly direct the provincial government to provide sufficient funding to CCACs to support the home care services that are the mandate of community care access centres in the volumes needed to meet their communities' rapidly growing needs; and

"(3) That the Legislative Assembly make it necessary for the provincial government to notify its agencies about the amount of funding they will be given by the government in a fiscal year at least three months" in advance of that commitment.

I proudly give this petition to Anthony Gras from Sudbury to present to the table.

#### PROTECTION OF MINORS

**Mr Bob Wood (London West):** I have a petition signed by 4,834 people.

"Whereas children are being exposed to sexually explicit materials in many commercial establishments;

"Whereas many municipalities do not have bylaws in place to protect minors and those that do vary from place to place and have failed to protect minors from unwanted exposure to sexually explicit materials;

"Whereas uniform standards are needed in Ontario that would make it illegal to sell, rent, loan or display sexually explicit materials to minors;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass Bill 95, Protection of Minors from Sexually Explicit Goods and Services Act, 2000, as soon as possible."

1550

### HOME CARE

**Mr Tony Martin (Sault Ste Marie):** "To the Legislative Assembly of Ontario:

"Whereas the Ontario community care access centres deliver vital home care services to seniors, the disabled and those discharged from hospital so they can remain in their own homes; and

"Whereas Ontario community care access centres need an additional \$175 million from the Ministry of Health this fiscal year just to deliver their current level of health care services; and

"Whereas the Ministry of Health has refused to fund this necessary increase and has further failed to provide the CCACs with equity funding last year and this year, despite a 1998 promise by the former Minister of Long-Term Care, Cam Jackson, to do so; and

"Whereas this deliberate underfunding by the government of CCACs has forced the CCAC boards to adopt a deficit-reduction plan which severely reduces the home care services they provide; and

"Whereas this reduction has a drastic impact on clients who cannot afford to pay for these services and will be forced to go without necessary home care;

"Therefore, be it resolved that the Conservative government immediately fund the additional \$175 million requested by the Ontario CCACs this year and, further, provide the equity funding that was promised in 1998."

I sign my signature to this petition.

### SHARON REYNOLDS

**Mr John Gerretsen (Kingston and the Islands):** I have a petition to the Legislative Assembly of Ontario, and it relates to a statement I made earlier in the House today.

"Whereas Sharon Reynolds, a seven-year-old young girl, died tragically; and

"Whereas the crown's case against Louise Reynolds was not proceeded with; and

"Whereas there are many unanswered questions relating to the circumstances surrounding the death of Sharon Reynolds;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Premier of Ontario and his cabinet colleagues call upon the Lieutenant Governor in Council, pursuant to section 2 of the Public Inquiries Act, to order a full and independent inquiry into the death of Sharon Reynolds."

I agree with the petition and have signed it accordingly.

### HOME CARE

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the need for home care services is rapidly growing in Ontario due to the aging of the population and hospital restructuring; and

"Whereas the prices paid by community care access centres to purchase home care services for their clients are rising due to factors beyond the control of community care access centres; and

"Whereas the funding provided by the Ontario government through the Ministry of Health and Long-Term Care is inadequate to meet the growing need for home care services; and

"Whereas the funding shortfall, coupled with the implications of Bill 46, the Public Sector Accountability Act, currently before the Legislature are forcing CCACs to make deep cuts in home care services without any policy direction from the provincial government;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) That the Legislative Assembly direct the provincial government to take control of policy-setting for home care services through rational, population-based health care planning rather than simply by underfunding the system; and

"(2) That the Legislative Assembly direct the provincial government to provide sufficient funding to CCACs to support the home care services that are the mandate of CCACs in the volumes needed to meet their communities' rapidly growing needs; and

"(3) That the Legislative Assembly make it necessary for the provincial government to notify the agencies it funds of the amount of funding they will be given by the government in a fiscal year at least three (3) months before the commencement of this fiscal year."

This is signed by 45 members of my riding, and I have signed my signature to it.

### PROTECTION OF MINORS

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** I have a petition addressed to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas children are being exposed to sexually explicit materials in many commercial establishments; and

"Whereas many municipalities do not have bylaws in place to protect minors and those that do vary from place to place and have failed to protect minors from unwanted exposure to sexually explicit materials; and

"Whereas uniform standards are needed in Ontario that would make it illegal to sell, rent, loan or display sexually explicit materials to minors;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass Bill 95, Protection of Minors from Sexually Explicit Goods and Services Act, 2000, as soon as possible."

#### EDUCATION TAX CREDIT

**Mr Pat Hoy (Chatham-Kent Essex):** I have a petition here from the Chatham Christian School parents in support of the tax voucher. Though I'm in complete disagreement with the sentiments of this petition, as the elected representative for Chatham-Kent who represents all the good citizens of that riding, I've committed to the parents to read it. It reads, in part:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

Again, I support public education and oppose the tax credit.

**Mr Tony Martin (Sault Ste Marie):** To the Legislative Assembly of Ontario:

"Whereas tax credits for private schools will create two-tier education;

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas tax credits for private schools will encourage the growth of a segregated society of narrowly focused interests;

"Whereas tax credits for private schools will steal money from an already cash-starved public system and deliver public money to special interests who do not have to account for its use;

"Whereas tax credits for private schools effectively create a voucher system in Ontario;

"Whereas the Harris government has no mandate to introduce such a measure,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to withdraw its plan for two-tiered education and properly fund public education in Ontario."

I've attached my signature to the petition.

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** I have a petition from Orangeville, Shelburne, Palgrave and Grand Valley. It is addressed to the Legislative Assembly of Ontario.

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas many people believe that an education with a strong faith component, be it Christian, Muslim, Jewish, Hindu or another religion, is best for their children; and

"Whereas many people believe that special education methodologies such as those practised in the Montessori and Waldorf schools are best for their children; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas an effective way to enhance the education of those students is to allow an education tax credit for a portion of the tuition fees paid for that education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass the budget bill giving tax credits to parents of children who attend independent schools as soon as possible."

I've signed this petition.

#### EDUCATION FUNDING

**Ms Caroline Di Cocco (Sarnia-Lambton):** To the Legislative Assembly of Ontario:

"Whereas we believe that all education resources should be directed to our public schools, not private schools;

"Whereas Mike Harris has been attacking public education for six years, chopping \$1.8 billion from the classroom and now wants to pay parents to leave public education for private schools;

"Whereas we believe that a voucher plan for private schools is wrong, unfair and steals money from public education;

"Whereas we believe that these funds being invested in private schools would be better spent on rebuilding public education through such measures as bringing class sizes down to 20 students per class in the early years;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Do not turn your back on Ontario's working families. Fight Mike Harris's voucher system for private schools; fight for smaller class sizes and fight for public education."

I affix my signature to this petition.

#### EDUCATION TAX CREDIT

**Mr Tony Martin (Sault Ste Marie):** "Whereas the Harris government is planning to take funds that our public schools desperately need and funnel them to private schools through tax credits; and

"Whereas the government's plan is to give parents a \$3,500 enticement to pull their kids out of public schools;

"Whereas this initiative is, in effect, a voucher system and is the beginning of the end of quality public education in Ontario;

"Therefore we, the undersigned, call on all members of the Legislature to fight and defeat this attack on the choice parents most want: stability, co-operation and respect in clean, safe public schools."

I sign my signature.

#### PROPOSED INDUSTRY SITE

**The Acting Speaker (Mr Bert Johnson):** The Chair recognizes the member for Kitchener Centre.

**Mr Wayne Wettlaufer (Kitchener Centre):** Thank you, Speaker, I didn't think this was ever going to happen.

To the Legislative Assembly of the province of Ontario:

"Regarding the applications by General Environmental Group Inc;

"Whereas the proposed site is in the middle of several long-standing residential neighbourhoods;

"Whereas the proposed site is within 600 metres of a major hospital, and the largest public park in Kitchener-Waterloo, as well as numerous schools and churches, and is within 100 metres of a public outdoor swimming pool and the TransCanada Trail;

"Whereas the high volume of heavy truck traffic associated with this industry would worsen the already seriously poor air quality in the city core;

"We, the undersigned, petition the Legislative Assembly of Ontario and the Ministry of the Environment for the province of Ontario as follows:

"We call on the Legislative Assembly of Ontario and the Ministry of the Environment for the province of Ontario to immediately suspend consideration of this proposal;

"Further, we call upon the Legislative Assembly of Ontario to initiate a full environmental assessment and open public hearings before any further consideration is given to the proposal."

This petition is signed by almost 1,700 people and I also affix my signature.

**The Acting Speaker:** The time for petitions has ended. For those of you who didn't get yours in, stay tuned tomorrow, same time, same place.

I just wanted to set the stage: we are now on Wednesday afternoon, about 4 o'clock; it's about 85 degrees. I will ask for your indulgence. I just wanted to say that anybody growing corn in the province of Ontario just loves this. The heat units are just beautiful.

1600

#### ORDERS OF THE DAY

##### TIME ALLOCATION

**Hon Dan Newman (Minister of Northern Development and Mines):** I move that, pursuant to standing order 46 and notwithstanding any other standing order or

special order of the House relating to Bill 80, An Act to promote a stable learning environment and support teacher excellence, when Bill 80 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment, and at such time, the bill shall be ordered for third reading;

That the order for third reading may then immediately be called;

That when the order for third reading is called, 90 minutes of debate shall be allotted to the third reading stage of the bill, and that the time shall be divided equally among all recognized parties. That at the end of this time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment;

That no deferral of the second or third reading votes pursuant to standing order 28(h) shall be permitted; and

That, in the case of any division relating to any proceeding on the bill, the division bells shall be limited to five minutes.

**The Acting Speaker (Mr Bert Johnson):** Debate?

**Mr Garfield Dunlop (Simcoe North):** Mr Speaker, I'd like to say that I will be sharing the time today with the member for Northumberland and Mr Wood from the London area.

First of all, I agree with you on the temperature in here. I think it's more than 85 degrees this afternoon. I've never seen it as hot in this building before as it is today. I don't know if the air conditioning is just not working or whatever is happening, but it's very warm in here.

I'm pleased to rise this afternoon and say a few words on the time allocation of the Stability and Excellence in Education Act. As parliamentary assistant to the Minister of Education, I'm pleased to make a few comments on it.

When our government launched its education reform six years ago, our primary goal was to offer Ontario students the best-quality education possible. A key part of our quality education agenda is to assure parents that their children are receiving an enriching and rewarding education in safe, stable school environments.

Parents want and expect to see their children succeed. Parents want their children to be taught by teachers who have the skills and knowledge to help them achieve the higher standards that have been set. Our goal is to make that happen, and our goal is also to educate and train a workforce that can compete in the 21st century in the world economy.

In 1999, our government's election platform for its second term described how we intended to move forward with our plans to make Ontario's public education system among the best in the world. We have been listening carefully to what parents, students and our education partners say needs to be done. We continue to consider their advice and we are making progress in that direction.

Student-focused funding, new elementary and secondary curriculum with higher standards, province-wide student tests, a greater voice for parents and safe school environments have all been aimed at creating an

education system where excellence, accountability and improved student achievement are the highest priorities.

Students deserve to get the best education possible. Bill 80, the proposed Stability and Excellence in Education Act, if approved by this Legislature, is another step in our plan to provide the best education system possible for the students of the province of Ontario.

The initiatives under this legislation and our other quality education reforms demonstrate our government's ongoing commitment to higher standards for our schools, with an emphasis on performance-based accountability. There are three key areas in Bill 80, which if approved, will amend the Education Act and the Ontario College of Teachers Act to enable our government to do three things.

First of all, we will implement a mandatory professional learning program for teachers, a key component of Ontario's teacher testing program. Second, we will respond to parents' and students' concerns about the frequent labour disruptions involving school boards and teachers' and school staff unions in Ontario. Third, we will act on our commitment to ensure that co-instructional activities are available to all students in our province.

I'd like to take this opportunity to detail some of the specifics of each of these components. First of all, we'll talk for a few moments on teacher testing. Parents want to see their children succeed. Research clearly demonstrates the difference a good teacher makes. Excellent teachers can motivate, inspire and challenge students to accomplish things they never thought possible. I'm sure that all of us in this Legislature have met many teachers like that over the years, both when we were in school and as we visit schools today.

The teacher testing program that our ministry announced last year recognizes that dedicated and excellent teachers are the backbone of a quality education. That is why our teacher testing program is being developed as a series of initiatives to ensure that both new and experienced teachers have the most up-to-date training, knowledge and skills to help students succeed.

Language proficiency testing is already in place for new applicants to the teaching profession who took their teacher training outside of Ontario in a language other than French or English.

Coming into effect next spring, subject to the approval of legislation, all new applicants for Ontario teaching certificates will take a qualifying test to ensure that they know their curriculum subjects. This fall we will be bringing in legislation for new province-wide performance appraisal standards to ensure all teachers are evaluated regularly and consistently in their classrooms.

Our teacher testing initiatives to be introduced over the next year include an internship program for new teachers to help them acquire strong teaching and classroom management skills, a system to recognize teaching excellence, and a role for parents, educators and experts in a quality assurance process for schools.

Bill 80 proposes another step in our program: mandatory recertification. Mandatory teacher recertification

was a key election promise our government made in 1999 and was also recommended by the Royal Commission on Learning in its 1995 report, which received all-party support in this House. Ongoing professional learning is not something new to the teaching profession, neither in this province nor to teachers in many other jurisdictions across the world.

Meeting ongoing learning requirements is common in many professions. In Ontario, professional associations and self-regulated professions approach professional development and upgrading in a variety of ways. Their objective is to assure their clients that all members have the up-to-date knowledge and skills needed to provide high-quality service.

Students in this province deserve nothing less of their teachers. If approved, this legislation would require all members of the Ontario College of Teachers to complete five-year cycles of professional development to stay up to date and maintain their certification. The bill would amend the Ontario College of Teachers Act to give the college statutory authority to implement and enforce mandatory professional learning requirements.

Under the program all members of the Ontario College of Teachers would be required to successfully complete seven core courses and seven elective courses during each five-year cycle, regardless of the type of school in which they actually teach. Core courses would focus on curriculum knowledge, student assessment, special education, teaching strategies, classroom management and leadership, use of technology and communicating with our parents and students. Approved courses would include professional development activities and programs to improve their skills or teach a new subject.

#### 1610

Most teachers currently engage in a wide variety of professional development activities. What this requirement would do is formally recognize the professional development activities that many teachers are already involved in and it would help focus these activities so they support our government's priorities of improved student achievement and learning.

That brings me to say a few words on labour stability in our schools. This is the second initiative of this legislation. This has to do with the concerns expressed by parents and students about labour disputes in our schools today. Finding better ways to resolve collective agreement issues is in everyone's best interests. If approved, the legislation would require future collective agreements between school boards and teachers' unions to run for three-year terms. As current contracts expire, school boards and teachers' unions would be required to negotiate contracts that expire on August 31, 2004. All subsequent collective agreements would have a term of three years. Our government believes that energies can be better focused on the delivery of quality education to students when both the school boards and the unions have longer periods free from collective bargaining. We continue to believe that local agreements are the best solution, and we have provided resources for boards to

achieve a reasonable settlement with the teachers' unions.

As we have seen in a number of communities this year, labour disputes involving support staff can also have a direct impact on the delivery of education to our students. The Education Relations Commission, an arm's-length independent body, currently advises the government when the continuation of a strike or lockout involving teachers is putting students' education at risk. This legislation would expand the commission's current authority to include any school board employee group, including support staff.

The third component of the legislation is the co-instructional activities that I'd like to say a few words about. Co-instructional activities are an important part of a quality education experience. These activities enrich the participation of students and parents in the school community, and participation in these activities builds positive relationships within a school community. Our government shares the concerns of parents, students and teachers about schools where a full range of co-instructional activities has not been available. The advisory group on co-instructional activities and our education partners have given us their advice. Their recommendations have made it clear that all parties have a role in fulfilling their responsibilities to our students.

Bill 80 would first of all maintain the current requirement that high-school teachers teach an average of 6.67 eligible courses a year—the course-load equivalent of an average of four hours and 10 minutes a day—but provide greater flexibility in the regulations that would, if approved, define instructional time to include, first of all, time spent giving remedial help to students so they can meet the challenges of our rigorous curriculum; and time spent on duties such as supervising students and filling in for absent teachers. It would allow a school board to pass a resolution to vary the maximum average class size in its high schools by up to one student, therefore providing boards with more flexibility to access resources to meet students' needs; repeal unproclaimed subsections of the Education Accountability Act, 2000, that would have required teachers to participate in co-instructional activities; and it would allow the government to proclaim the sections of the Education Accountability Act that require school boards to develop and implement plans for the provision of co-instructional activities for high schools.

This significant package of initiatives clearly demonstrates the government's commitment to an improved education environment. The legislation is part of our comprehensive plan to ensure that Ontario's public education system can achieve excellence. With this legislation, we are acting to assure parents and students across Ontario that teachers have the up-to-date knowledge and skills needed to help students reach their full potential. That is why we are implementing a comprehensive teacher testing program. We are taking steps to provide the stability parents want and students need in a positive school environment.

This legislation, as it stands before the House, is another step toward increased quality, more accountability and improved student achievement. I call on all members to join me in the speedy passage of this bill for the benefit of all of our students.

Mr Speaker, in spite of the fact that it's so warm in here this afternoon, I appreciate the opportunity to say these words to you.

**The Acting Speaker:** Further debate?

**Mr Michael Bryant (St Paul's):** I wish we could be speaking to this bill longer than the time I have allocated to me, but that's because here we are yet again having debate shrunk on a bill affecting the students, parents and families of the riding of St Paul's.

Let me just say at the outset that instead of a closure motion on education, the real issue this government should be addressing is classroom funding, the funding formula. There is no one writing to me in St Paul's, there is no one calling me or e-mailing me in St Paul's saying, "I think all teachers' contracts should expire in 2004." Nobody is saying that. They're not writing and saying, "We need to come up with some more tests for teachers to stick it to them." No one is writing me saying that. I'm getting a lot of phone calls, letters and e-mails, though, and people who come in to visit me in the office, talking about the problems with the funding formula and the serious problems with respect to classroom funding.

I have visited every single school in the riding of St Paul's, at least all the schools where they let me come in. During that time, I heard the same thing time and time again: "The classes are too big. We're having educational assistants taken away from us. We don't have enough money for textbooks so we're going to have to engage in a fundraising campaign at the local level in order to pay for the basics." I'll speak to the issue of extracurricular activities in a moment, but that's what the people of St Paul's are talking to me about when it comes to education. It's not about the contracts issue and it's not about the tests for teachers issue; it's simply about how we ought to run our educational system in a way that makes sense.

The current funding formula makes no sense and it's nothing less than an absurdity for the schools in St Paul's. If you look at the structure of the schools, the size of the schools, when the schools were built, the funding formula doesn't work for these schools. It doesn't work. The fact that there is a big boiler room in a school has nothing to do with how much money ought to be going to that school. That's why the educational reforms, the educational proposals put forward by Dalton McGuinty and the Ontario Liberals, are the better way.

What parents are saying to me is that their child will be in a class of 31 four-year-old kids next year, that they're losing the educational assistant in their child's classroom of 31 four-year-old kids and that the lack of funding has put extracurricular activities like swimming at risk. One school in St Paul's riding, Brown Public School, will have junior kindergarten classes of 31 students in both the morning and the afternoon next

year—31 students packed in like sardines. The French immersion senior kindergarten at Brown Public School will have two classes of 28 kids.

Farther west in the riding, Humewood public school, where I was last night for their graduation—it was a great night, it was a fun night; the parents were there and the kids were there—is no longer going to have a full-time library. That's what's going to happen to Humewood. They've gone from a full-time ESL teacher to a part-time ESL teacher at a school where 21% of the students do not speak English as their first language. Their grade 2s will be in classes of 30 in the afternoons next year. I received so many letters from parents from Humewood and so many calls from parents at Brown Public School who said we ought to be spending our time in the Legislature not debating time allocation motions that are going to kill debate; we ought to be debating what the future of public education is—the future of public education not being about simply giving our kids an economic advantage without more.

1620

We all know that public education has a broader purpose, that our kids, our families, go through a public education system to participate in these days of our years, to address the solution to the problems that pour upon us, and it requires the best judgment from our kids, the best education we can possibly give them so they can make those judgments. I would hope we are trying to build a public education system here in Ontario that produces excellence for all kids, that makes ours the best education system. We'll have families who move into Ontario and businesses will come to Ontario—we'll get people coming here because this is the best place to do business; it has the highest-quality health care but also high-quality education.

The broader public outside St Paul's and, I can tell you, the people of St Paul's, are concerned. This isn't just an issue in midtown Toronto, I can assure you. There were 700 people at the Toronto District School Board's budget meeting on Wednesday—700 people for a budget meeting. An earlier emergency meeting of parents attracted 180 people from 36 schools, and that's just in the city of Toronto. We have, across this province, crises in school boards and in schools because of the failure of this government to provide an appropriate funding formula and because of the cuts to education undertaken by the Harris government.

With respect to extracurricular activities, I remind everybody that Dalton McGuinty came forward with a peace plan to try to address the crisis over extracurricular activities. It was endorsed by commentators of all political stripes. Maybe not everybody liked every piece of it. It was a compromise; it was a balanced, fair approach. It was a peace plan. Yet here the government goes again, trying to undermine the credibility of teachers and increase fear among parents with respect to the future of our public education system. Of course, there's no indication in this bill of who's going to absorb the cost of the courses set forth in this bill's mandatory recerti-

fication of teachers. We're not going to be able to debate that any further, because the government is putting closure on further debate of this bill.

With respect to extracurricular activities, this is another move by this government to centralize control over teachers, a one-size-fits-all approach directed from Queen's Park when we know very well that the needs of students and schools are different and vary from region to region. What's good for North Bay is not necessarily good for north Toronto.

I want to say, on behalf of the students who are wrapping up their school year in St Paul's, parents who have grave concerns about the future of public education, who are seeing their classroom sizes bloat, who are seeing the number of educational assistants and ESL teachers decrease, that you should raise your voices loud and clear. Please let me know what's going on in your schools so that I have an opportunity to hold this government to account. If you're living outside the riding of St Paul's, and particularly if you're living in the riding of a government MPP, I urge you to contact that MPP and let him know what's really going on. We can't control public education from an office in Queen's Park. We have to have the flexibility to respond to the local needs.

I look forward to the opportunity to take Dalton McGuinty's and the Ontario Liberals' education plan to the people, I hope, in the very near future. I know it is before the voters of Vaughan-King-Aurora in the by-election tomorrow.

I will be sharing my time, if it has not been said already, with the member for Renfrew-Nipissing-Pembroke and also with the member for Sarnia-Lambton.

**Mr Rosario Marchese (Trinity-Spadina):** It's good to have the opportunity to speak to the Stability and Excellence in Education Act. Right now it's 4:27 in this Legislature and it's quite hot in here. But that's OK; we can manage it. We can manage heat and cold in this place. When it's cold, we perform better, and if it's hot, we still perform. I will be dividing my time with two other members: the member for Sault Ste Marie and the member for Timmins-James Bay.

Speaker, just to remind you and remind the citizens: when government says "stability" in a bill, it means instability; and when they say "excellence," it means lack of it. Why else would they speak of a bill called "stability and excellence"? Why else would they say that, except it must mean the contrary? It has nothing to do with stability and excellence. Why else, except to hide the instability they have caused in the educational system in the last six years?

They have taken \$2.3 billion out of the educational system. Citizens, does that sound like stability? You take \$2.3 billion out, and you, as a government, dare to introduce a bill that says "stability and excellence in education"? It doesn't make any sense. You understand that. I know the majority of you have caught on to the game, at least those of you who were paying attention.

Those of you who were paying attention know that because of the Conservative cuts, Ontario ranked 55th in

North America in 1998. Who knows where we are now? We ranked 55th in North America. That's really at the bottom. You can't get much lower than that. Do you citizens call that stability and excellence in education? I don't.

The Ontario alternative budget calculated that in order to restore Ontario to its 1994-95 ranking, per pupil funding would have to be increased by \$1,000. Can you imagine what that means? Can you imagine not putting money in education when the economy is good? Can you think what will happen when the economy goes bad and money isn't coming into provincial coffers? If they cut \$2.3 billion now, what will happen when the economy dips down? Wait and see.

With Bill 45, the desire of this government to all of a sudden give choice to parents implies—not implies; means, because the Premier stated very clearly, as did the Minister of Education—that \$300 million will come out of public education, as a minimum. The Premier has said \$500 million. So we're working in that range, anywhere from \$300 million to \$700 million. More will come out of our public system with the desire of this government to say, "We want to give parents the choice to take their kids out of our public system by giving them a tax credit."

The tax credit of a maximum, up to five years, of \$3,500 is more, when you calculate it in the income tax system, than an actual \$3,500. It means more than that. We're telling people they can take our money and take their kids out of our public system and it's OK by the government. The Conservatives say that it's not a problem to test teachers in the regular system. In fact Mr Dunlop, the member from Simcoe North, who spoke, was proud of the mandatory testing of teachers.

1630

Good citizens, you know that with Bill 45, which gives private individuals money to send their kids to private schools, they won't have to test the teachers. Mr Dunlop was so proud of saying, "We're testing teachers now and it's going to be mandatory." But what about the other teachers in the private schools? Mr Dunlop doesn't speak to that. He says, "Don't worry about that. They're private." Well, Mr Dunlop, why are you giving money to people who will send their children to private schools and you will not apply to them the same standards you apply to our public system? We don't get it.

Do you understand? You're playing politics with teachers. Here are teachers who, at the elementary panel, undergo regular professional development, meaning many of them take courses on a regular basis. Sixty-seven per cent of the teaching profession is already taking courses at the moment, voluntarily. But that's not good enough for the government. They don't want voluntary teacher credit professional development. They're saying, "No, we want 100% because it's not good enough; that 67% of the elementary panel is already doing it voluntarily—not good enough." What kind of a government is this?

If I had that kind of a buy-in from a profession, where almost 70% of the people are doing it because they want

to—they're taking courses of their own free will and it's not good enough for this government, but it is good enough not to test those teachers in the private system. It's good enough for those people not to have a teaching certificate, because a majority of those people teaching in private schools are not teacher certified. They don't need a teacher's certificate. That's OK there in the private system. We don't need the same standards to apply to them, but in the public system, these people play politics with our teachers in beating them up as often and as regularly as they can.

Where do you people get off doing stuff like that? I'm surprised. I am genuinely surprised the public hasn't asked for your heads sooner.

**Interjection:** On a platter.

**Mr Marchese:** And placed it on a platter, indeed. I'm surprised that they have taken so much from this government. Everything you've done is all about politics and has nothing to do with education. The tax credit is a financial issue. It has nothing to do with education. In fact, the Minister of Education wasn't even consulted. It has profound implications for the educational system, but Madam Ecker was not consulted. In fact, she defends it, poor woman, because she's a part of the government, she's a cabinet member. But she wasn't even told that they were going to bring in this measure. It has profound social implications and the Minister of Education or the other members were not involved. It was just a financial transaction because the government wanted to give some money back to those poor folks who made a different choice. The majority of those poor folks who send their kids to private schools, the non-denominational ones, pay anywhere from \$5,000 to \$15,000 per child.

You had a number of members saying yesterday, "The opposition criticizes us because they say the people who send their kids to private schools are all rich." Well, in fact, 60% are. If you can afford to send your child to a non-denominational school, where the rates are \$5,000 to \$15,000—at Upper Canada, it's 15,000 bucks, and if your son or daughter sleeps there it's 28,000 big ones. And they want my money? Member from Simcoe North, you've got to please engage me. How can you smile at stuff like that? These people, rich people—\$28,000 if you bunk your kid there, and you want to give them 3,500 bucks of a tax credit? Something is nutty up there, right?

I did admit that the people who send their children to religious schools are not rich people. I did say that. I want to acknowledge that a lot of them make tremendous sacrifices, the same sacrifices many of our parents make, who are low-income people and send their kids to a public school system. They volunteer a lot of their time in our public system, similar to those people who send their kids to private schools, religious or otherwise. Everybody makes sacrifices, but the majority of students are in the public system and are well served. Ninety-five per cent of our multicultural communities in Ontario are well served by our public system, and this government is saying, "It's not good enough. If people want a choice to

send them somewhere else, we want to give our public money so they can make a different choice." I say, "Sorry, no go. No way." If they make a different choice, God bless, you make a different choice. Yes, it implies sacrifice, but not my problem. Not my problem.

But this government has found itself fit to give public money to people who make a different choice. I've got to tell you it's nuts, and the public agrees with me. It agrees with New Democrats who have been unequivocal and not vacillating in our position with respect to private schools. We support public schools only, now and tomorrow. That's the position we've taken.

With respect to this bill, I've already dealt with teacher testing. It's a political move. I suggest MPPs should be tested.

Mr Dunlop is putting up his hand, "I'm in." God bless. I'd love to see you people tested. I'd love to be part of that teacher test, too. If it's good enough for teachers, it ought to be good enough for you to undergo the same kind of testing. It's not good enough to say we undergo our test every four years through an election process—not good enough, sorry.

Then they say labour stability brings non-teaching education workers under the Education Relations Commission. What have we said with respect to that? We've said that Bill 160 gutted the Education Relations Commission. It's almost a body that serves political interests only because, you see, in the past it was the Education Relations Commission that mediated and monitored contract negotiations. They don't do that any more. That role of the Education Relations Commission is gone. They don't have that role any more. It was the Education Relations Commission that trained arbitrators. That's gone too. They don't do that any more. The only function left to it by the government is to advise on jeopardy during a strike. That's the extent of that power.

Now they want to bring in non-teaching under the jeopardy rule as well. We know that it's designed to punish the lowest-paid workers in our schools. It's designed to attack their right to strike for a fair contract. That's what it's about. But remember, the Education Relations Commission is only here to serve their need. You remember the threshold? Before you could actually rule on jeopardy, in our days, it was 45 days—our days and before. Now jeopardy comes in around more or less 15 days. That's all these politically nominated people do. That's their only function. But they're proud: "We want to bring back stability to the education system." I've told you what it does. It does nothing of the sort.

With respect to the workload and extracurricular activities, this government finally, after stalling, delaying, not wanting to confront the issue of the teaching workload, after so much delay, they came up with a position that said, "You boards will now be forced to provide extracurricular activities, and your choice is you've got to increase school size to do that." The government didn't throw in some money to reduce the workload of the teacher; they said, "You've got to increase class size if you want to reduce the workload." What kind of a choice is that?

You see, good citizens, it's not going to help students or teachers. The class size will go up in order to reduce the teaching load, but boards are left to deal with that responsibility. The government is not helping at all. They're not putting any money in. They're saying, "You, board, have to do it, because you're in charge." And the government liberates itself from that responsibility by not doing anything. There's no extra support except to tell the board, "You've got to increase class size to reduce the teaching load." That's not what they wanted. It's not what teachers asked for. It's not the kind of compromise Ontarians were looking for. You get dumped again—downloads again the responsibility to the board. There aren't too many solutions with respect to how you solve those issues.

1640

So is this stability? Are we getting the kind of stability that the system, teachers and parents are looking for? No, and I've got to tell you that parents are sick and tired of this government, sick and tired of the cuts, the \$2.3 billion cuts we have witnessed in the system, where you have fewer English-as-a-second-language teachers, fewer music teachers, fewer librarians, fewer caretakers. I said the other day that there are more mice than teachers these days because we don't have enough caretakers to deal with the problem. These people are proud. We've got fewer social workers, fewer psychologists, 37,000 people waiting for assistance to be able to get into a special education program—waiting, but there's no place for them and there's no one to test them, and these people are proud to bring in a bill saying this is a bill called stability and excellence in education. Come on. You can't fool us any more. You don't fool me and I hope, good citizens of Ontario, that they don't fool you either.

**Mr Doug Galt (Northumberland):** I was interested in the comments from the last speaker as he talked about standards and requirements and certification of teachers whether they be in independent schools or in the public system. I think he's really missing a point in the fact that the public system is a monopoly, that if you live in concession 4, lot 22, you have no choice as to which school your children go to. They go to the local school where the bus takes them, and which teacher do they get? They get the teacher who happens to be in grade 4 or grade 8 or grade 7, whichever level they happen to be in. If they make a choice to pay the extra money and go to an independent school, the parents can have a choice of various independent schools. But when it comes to a public system, it is indeed a monopoly, and I think he's really missing that point.

I want to talk a bit about teacher testing in the next 10 minutes.

Few people would disagree that physicians, lawyers, architects, veterinarians and other trusted professionals should have to stay up to date in their skills and knowledge to continue to provide high-quality service. In Ontario, professional associations and self-regulated professionals approach professional development and upgrading in a variety of ways. Some have provisions in

place. We've set specific requirements for the renewal or maintenance of a professional certificate. Generally, these requirements must be met over a certain period of time, often three to five years.

For some professions, the failure to meet ongoing learning requirements could mean losing the right to use a professional designation. Let me provide you with a few examples.

The Ontario Association of Architects has a mandatory continuing education requirement for all licensed members. Over a period of two years, members must complete a minimum of some 15 points, half of which must be taken from core professional renewal options and the other half from self-directed options.

The Royal College of Dental Surgeons of Ontario also requires its members to complete a mandatory program of professional development over a specific time period. All members are required to obtain 90 points every three years through a range of educational experiences. Dental specialists must obtain at least half of these credits from programs linked to their area of specialization. A typical full-day program of professional development would be the equivalent of six credit points.

The Law Society of Upper Canada requires its members to provide information on their continuing legal education activities.

The Ontario Institute of Agrologists requires that its members complete a minimum of some 60 hours of professional development over a five-year period.

The point I'm trying to make is that the demand for quality assurance and for establishing ongoing professional learning requirements for their members exists in many professions.

The professions I've just named, as well as many others, are responding to public expectations for quality and for excellence. Their objective is to provide their clients with the assurance that all of their members have the up-to-date knowledge and skills needed to provide high-quality service. That is what our government is trying to achieve with the mandatory teacher recertification program proposed in Bill 80. Over the past six years our government has been building a more rigorous, more accountable high-quality education system, one that will ensure our children's success well into the future.

We will only be able to fully achieve this goal with the confidence that all the members of the Ontario College of Teachers are up to date in their skills and in their knowledge. Ongoing professional learning is not something new to the teaching profession in this province or for teachers in many other jurisdictions. Teachers in other countries and provinces are also required to update their skills and knowledge.

For example, in Nova Scotia teachers must complete at least 100 hours of professional development every five years. Many US states have entry requirements for new teachers and mandatory professional development requirements for practising teachers within specified time frames. In many US states, professional development required to maintain and renew a teaching licence

involves a minimum standard of professional activity. In countries such as the United Kingdom, Germany, England, Sweden, Switzerland and Japan, ongoing professional training has become an important part of reforms to make their education system more effective. In the United Kingdom, for example, the Teacher Training Agency established in 1995 is responsible for the review, improvement and provision of continuing professional development of all teachers.

In Ontario we have many excellent teachers who regularly update their skills and are indeed committed to excellence. But parents want to know that all teachers, not just a large majority, have the skills and knowledge to help their children achieve the high standards we have set for them. That is why our government last year introduced our comprehensive Ontario teacher testing program. The program builds on support and systems already in place to ensure that both new and experienced teachers have the up-to-date training, knowledge and skills to help students succeed and achieve high standards. Mandatory teacher recertification, as we're proposing in this bill, is an important element of our teacher testing program. It was a key election promise that our government made in 1999 and was also recommended by the Royal Commission on Learning in its 1995 report, which received all-party support.

Building a system that ensures our children's success means preparing them for a world that is continuously changing and will be even more technologically driven and competitive than today's. All parents want to see their children succeed, and most would agree that the quality of their child's teacher can affect how well their child performs, whether a student has a difficult year in school or a rewarding and enriching one. Parents want their children taught by teachers they know are well trained, knowledgeable and committed to continuous improvement, teachers they know will prepare their kids to compete and win in the world of today and tomorrow.

Parents know that excellent teachers foster a passion for learning that students can carry with them throughout their lives. A good teacher can also motivate and inspire their students to achieve things they never thought possible. That is why, in designing and developing the details of our teacher testing program, we have consulted and continue to consult with parents and students, as well as teachers and all our education partners, including the Ontario College of Teachers. We have also drawn from experiences in other jurisdictions and extensive research on best practices in other professions.

In addition to mandatory recertification, which I will explain in more detail shortly, our teacher testing program includes a number of other initiatives.

Already in place is a language proficiency test, in effect since last fall, for new applicants to the teaching profession who took their teacher training outside of Ontario in a language other than English or French.

To be introduced over the coming months, pending approval of the legislation, where necessary, is a requirement that all new applicants for Ontario teaching cer-

tificates take a qualifying test similar to lawyers' bar exams starting next spring, and new province-wide performance appraisal standards to ensure that all teachers are indeed evaluated regularly and consistently in their classrooms.

1650

The ministry is also developing an internship program for new teachers to help them acquire strong teaching and classroom management skills. It will also be introducing a system to recognize teaching excellence. It will establish a role for parents, educators and experts in a quality assurance process for schools.

Bill 80, if approved, would require all members of the Ontario College of Teachers to complete five-year cycles of professional development to stay up to date and maintain their certification.

The bill would amend the Ontario College of Teachers Act to give the college clear statutory authority to implement and enforce mandatory professional learning requirements. In addition, it would confirm mandatory professional learning as one of the objectives of the college; determine the overall requirement for mandatory recertification; establish a statutory committee of the college to approve courses and providers; outline notice, appeal, suspension and cancellation provisions for teachers who do not complete the professional learning requirements; and determine transitional requirements for mandatory recertification.

Approximately 40,000 practising classroom teachers and some 6,500 new teachers would be the first to participate in the mandatory recertification program starting this fall. All other members of the Ontario College of Teachers, including principals, vice-principals and other certified teachers, would begin in the fall of 2002.

Under the program, all members of the Ontario College of Teachers would be required to successfully complete seven core courses and seven elective courses during each five-year cycle, regardless of the type of school in which they teach.

Core courses would focus on curriculum knowledge, student assessment, special education, teacher strategies, classroom management and leadership, use of technology and communicating with parents and students. Course lengths will vary according to learning requirements. Our priority is high-quality upgrading in core knowledge and skills.

The courses and their providers would be approved by a professional learning committee of the Ontario College of Teachers, a key partner in this initiative. The professional learning committee would be established as a committee with statutory authority to approve the courses and providers.

The committee would be made up of up to five minister's appointees and six governing council appointees. The six council appointees would be two elected council members, two council members appointed by the Lieutenant Governor in Council and two college members at large.

The committee would approve providers and courses to meet the professional development needs of both new and experienced teachers.

Regulations would set out the minimum criteria for the courses. It is anticipated that the regulations would require the courses to be related to student achievement, be linked to the core competency statements developed by the ministry in consultation with education partners, and include tests or other assessments.

Approved courses would include professional development activities and programs in which many teachers already participate to improve their skills or to teach a new subject.

There's a lot more I would like to say about teacher training, but time is running short and I want to leave some time for Bob Wood, so I'll conclude my remarks at that point.

**The Acting Speaker:** Further debate?

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):**

Thank you, Mr Speaker. I'm going to take some time this afternoon to speak to Bill 80.

Before I do, I really want to congratulate the nincompoops who look after this building, because I'll tell you, as I said to you privately, it's quite unacceptable that we're left in this situation. I know accidents happen, but staff and members and others are left working in an environment—if I didn't know better, I'd think the ghost of Harold Ballard was running this place. There's a press report someplace that in his heyday, when he ran the Gardens, Ballard used to make sure that for the big concerts the air conditioning was caused not to work so that the business at the concessions was just that much more robust.

I don't want to be as cranky as I'm getting these days, but I'll tell you, we sit here for two or three months in the spring. We're gone all summer. We'll be back sometime in mid-October. I expect the well-paid technical staff who are supposed to support this place to have this place in better running order than it is this week.

I'll just say that and move on to Bill 80, another piece of legislation that has an interesting title: the Stability and Excellence in Education Act. The nomenclature of this Harris government reminds me of those sort of third-tier Communist governments of Eastern Europe in the mid-1960s and the 1970s, the Ceausescu crowd that would offer themselves up as some kind of pale and almost laughable imitation of Western democratic norms and language. I said here the other day, and I'll repeat now, that I suspect that 15, 20 or 30 years from now people are going to be embarrassed by the ridiculous language that's been assigned to the bills passed in this Parliament and the one immediately preceding.

Who do we think we're kidding? If there's one thing that most honourable members, besides the zealots on both sides of the current divide, would know from their experience, it's that if there is one thing we don't have in public education today, it's stability. I'm going to be perhaps a little more ecumenical and a little less partisan in some ways than maybe even some of my own

colleagues, because I'm not here to say that everything the government has tried to do is bad and that everything that was done prior to 1995 was good. I will say as a former Minister of Education that there were issues that were developing and percolating through the 1970s and 1980s that were bound to erupt and have erupted in the 1990s. But to come here in the spring of 2001 and say we've got stability in education is to insult the intelligence of the Legislature, and quite frankly is to insult the intelligence of a very large number of Ontario's citizens, particularly Ontarians with children in the elementary and secondary schools.

I hear from my constituents with school-age children that they are increasingly worn out, beaten down, depressed by what appears to be a war between the government and the school system that does not seem to be capable of some kind of peace.

I happened to say to a retired school principal in my constituency a few months ago—I want to tell you he's someone who's had a long and close association with the Progressive Conservative Party—"I think we're actually maybe getting to a peace treaty." We were talking particularly about a part of this bill, the extracurricular activity. And so we did. We got movement from Minister Ecker and her colleagues in the Harris government on that subject. But within hours we got the Harris government totally reversing itself on funding private schools.

Now we are left with a situation where we've made one step forward with the issue of extracurricular activities. I want to say that on the basis of what I'm hearing from teachers and school administrators in Renfrew county, some of them not ideologically opposed to the Harris government, the Ecker plan on extracurricular is still short of what we need to make the extracurricular possibilities available in the schools of the Ottawa Valley.

1700

But we are now faced with this new opening as to private schools. I was struck the other day, reading the *Ottawa Citizen*—I didn't bring the article with me, but there's a school in rural Lanark county that began a couple of years ago with very few students. It's a Christian academy. This year I think it's going to register something like 61 kids, in fall 2001, and the projections are for something like 90 to 100 students at that school in a couple of years' time. I'll tell the House what the House would probably know, and those of you who come from rural and northern Ontario will know it: those students are going to be coming from rural schools in the main. So there's no doubt we're going to be opening a spanking new Christian school and it is only a matter of months, maybe a couple of years, before I fully expect to be reading in the *Smiths Falls* or *Perth* or *Ottawa papers* how a number of rural schools in Lanark are almost certainly going to be in distress, unless all of the kids are coming from home-schooling environments, and I doubt that that's true. This will be a zero-sum game, and there will be public schools in rural Ontario, in my part of

eastern Ontario, that will be under a great deal of stress and likely going to close.

I can tell you as a former Minister of Education, these are the issues that make the current minister's or any minister's job very difficult. We've got a couple of million kids going to 5,000 schools in cities as large as Toronto and in communities as small as Brights Grove and Calabogie.

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** Don't forget Petrolia.

**Mr Conway:** I won't forget Petrolia.

It will be very interesting to see where this takes us. I said before, and I repeat now, if any of us, individually or collectively, feels very strongly about providing these kinds of incentives for private schools, I think we are duty bound to say to our local and general electorates before an election that such is our position. But that's not what we've done here.

I am one who is going to observe the obvious: under the Harris government's funding model, I see no way to avoid province-wide bargaining. That's where we're headed, and this bill takes us one step closer to that reality.

I remember 15 years ago, my friend Claude Ryan, the then Minister of Education for the province of Quebec, telling me more than once, "Conway, let me tell you what you don't want: you don't want what we've got in Quebec. You don't want province-wide bargaining across the public sector because, I'll tell you, once you get that you've really got yourself a very difficult situation," and that's where we're headed. I hope I've fairly represented my friend Ryan; I think I have. I'm quite sure that Bill 80, in that provision which provides for all contracts to terminate simultaneously, at a fixed point in 2004, is a clear indication that that outcome is inevitable.

We have, of course, the whole question of the mandatory certification of teachers. I want to say a couple of things about that. I personally believe that it ought to be an objective of the province generally, and school boards locally, to ensure that, to the very best of our ability, if I'm a science teacher or I'm a history teacher or I'm an English teacher I have credentials for the subject areas that I am going to be teaching. In fact, there is some very good evidence in other jurisdictions—I can think of one report done in the United States not that many years ago which makes plain that one of the things that really has a very positive effect on improving the educational outcomes of schools is in fact having teachers who are well motivated and well qualified to do the tasks that are before them.

I must say that when I think back to my conversations both as a private member and as a Minister of Education, not as much time was spent on that subject as I feel there ought to have been. If I were giving advice to school boards—and I do think they are doing a better job of this today than might have been the case a few years ago—one of the questions I would have is, what is your plan to make sure that you've got well-qualified, well-motivated teachers in your schools, particularly as you move into a

period of time when there are going to be, according to the College of Teachers, tens of thousands of new hires?

My teacher friends would want me to say tonight, and I will say on their behalf, how attractive are we making the job of teaching today? There was a very interesting article by Margaret Wente in yesterday's *Globe and Mail*—I don't know how many of you saw it—talking about some relative or in-law of hers who had taught in the rural schools of, I think, the eastern townships. Ms Wente made the point that's been made by others: how attractive is teaching to bright young people today? I can tell you, I would be very reluctant myself, if I were graduating from a faculty of education in 2001, to embrace the teaching profession. I'll tell you why: I think the expectations are perhaps a bit unrealistic. But maybe more central to my diffidence might be that there just seems to be this culture war that's so pronounced and deep-seated. I would be afraid that if I went to my local elementary or secondary school, I would be caught in the crossfire between parents, on the one hand, who expect and understandably want the best for their kids, and politicians, local and provincial, who seem to be more willing than ever to turn the whole educational debate into just a big, endless political battle. I'd be really not very anxious to be caught up in that, particularly at a time when I have a lot of other options—and there are other options.

I will say here tonight what I said the other day in a speech at Napanee. I'll say this for the Premier: he's a former teacher, he's a former school board trustee and chair; he knows this file better than many of us here. The premeditated campaign that he has launched against teachers in this province is, in my view, now a very serious impediment to resolving some of these important issues to which Bill 80 directs our attention. You simply can't go around as the leader of the government saying the kinds of things Mr Harris seems to want to say routinely about teachers and not have that kind of rhetoric take a toll.

I'm the first to admit that, with 120,000 or 130,000 teachers, there are undoubtedly excellent teachers, there are some mediocre teachers and, yes, there are some poor teachers. I think we've all had that experience. But do you know what? There are 103 members of this Legislature, and I think independent analysts would say there are people like Frances Lankin—who, unfortunately, is leaving us—who is a real ornament to this place. My friend Arnott working over there is the acme of duty and responsibility. There may be others around, whom I shall not name, perhaps myself included, who do not bring the same degree of prestige and reputation to the profession.

I read the business pages of the national newspaper every day. Almost without fail there's some scoundrel being talked of, who has absconded with funds, who is charged with God knows what. I sit here day after day and I'm waiting for Mike Harris to say, "You know some of those scoundrels on Bay Street? They should be dealt with."

I never, ever hear the slightest complaint about the stockbroker who has stolen money from the unsuspecting 80-year-old client.

1710

I read about chiefs of police. I read about police officers, a noble and very important profession with some bad actors. I read almost on a weekly basis cases where the police have within their midst the odd bad actor. There is not a peep out of the Harris government about failing on that side.

We have a new morality play here. Bay Street business men and women are, a priori, good, virtuous and very important. Teachers, nurses, public servants are, a priori, slackers and malingerers. Oh, yes, we will go to our own local ridings and we will nod that we've had a good teacher and we know a good nurse, but let me tell you, the comments that have been made by the Premier, directly and indirectly, about the public service generally and about teachers are absolutely unhelpful and they are beneath someone who, like Mike Harris, has been both a teacher and a school board trustee.

I know people who have talked with the Premier in North Bay. They say to me, "I don't know what got into Mike. When I taught with him, when I worked with him, he certainly seemed to have a different point of view, a different orientation."

I just want to say today that if we think, if the government thinks that, going forward, when we need something like 35,000 to 40,000 new teachers over the next five to seven years, that we are going to attract bright young men and women to the teaching profession on the basis of the campaign that's been directed against the teaching profession, then I think Mr Harris better think again. It strikes me as passing strange that people in the government don't seem to know that it is now a seller's market.

I would myself like to assign a couple of good reporters someday: go to Guelph, go to Nepean, go to Stratford and certainly go to Metropolitan Toronto, pick a day, walk into those principals' offices and ask this question: "How many teachers are here today with letters of permission?" because I'm going to tell you, the *Beacon Herald*, the *Ottawa Citizen*, the *Toronto Star*, the *Kitchener Record* would have quite a story. I think people would be quite astonished to find out just how many people are now teaching in the public schools of Ontario without any credentials related to the teaching profession. And that's only going to get worse as we look at the deficit in the profession caused by significant ongoing retirements and clear signals sent out, many by governments but others from other quarters, that are suggesting to young people, "Think twice before you consider a career in teaching." As I say, not too many weeks ago I read a report from the Ontario College of Teachers which suggested that we're going to require something like 35,000 to 40,000 new teachers over a very short period of time.

I want to conclude my remarks today by recommending to the House an article that you may not have

seen but I'm going to recommend that you read. A couple of weeks ago in Saturday Night magazine, which is an insert to the National Post on Saturday, there was an article—and this is from June 2, 2001—by J. Teitel. It was an interesting article entitled "The Con in Neo-Con," and the sub-title of the article is, "If neo-Conservatives really are fighting for old-fashioned family values, why are they tearing down so much of what their parents stood for? And why?"—the article goes on to ask—"are we as a general society so happy to let it happen?"

What Mr Teitel does in the article is, he takes Algonquin composite high school, 1961, and shows you the world of Mike Harris's secondary school experience. He compares that world with the world of the late 1990s, 2000, 2001. Saturday Night magazine and the National Post are not viewed as fire-breathing, radical, big-L Liberals, and I could argue that in some respects the article is perhaps a little unfair, but it's a very compelling argument he advances.

I've said before that I have no kids, but my parents, the parents of the Great Depression and the second war, what did they give to me? They gave to me in the 1960s and 1970s a level of opportunity that was unprecedented, vastly more than they ever experienced. I think that generation, Tom Brokaw's The Greatest Generation, did so because they were reared in such deprivation.

What does my generation offer in return? University tuition as high as we can make it. We, who got it almost for nothing, say to our kids, "The sky is the limit." Teitel's argument about the panoply of extracurricular opportunities at Algonquin in North Bay in 1961 as compared to, what, young people in North Bay? Think about being a youngster, and you went to high school in Mount Forest or in Pembroke or in Petrolia starting about 1997. What kind of menu have you had in terms of extracurricular activity?

The language I want to use is such lumberyard vernacular that I will not, Mr Speaker, use it, but I have so much sympathy for those kids graduating this week. They have been put through an endless confrontation and fight after fight after battle. I'm telling you, if I were one of them I would be mad as hell because, by the time I got to be 15 or 16, I was in a high school that, had it not been for the extracurricular sports and other activities, I would not have been a very easily managed kid. There are tens of thousands of young people who have come through a five-year war, a war that does not seem to want to end. The government is not entirely responsible, and there are days when I have more than a bit of sympathy for their position. But this battle, this fight, must end because our social and economic well-being cannot stand much more of it. To offer legislation that says "excellence and stability in education" without a true and genuine commitment to meet your partners at least on the middle of this battlefield to sign a peace treaty in the interest of these kids ought to be this government's and this Legislature's first concern.

**Mr Gilles Bisson (Timmins-James Bay):** It's a pleasure to have an opportunity to put a few comments

on the record when it comes to this particular bill. If I have to say anything in the nine or 10 minutes I have, it is the following. It is really regrettable that the government over the last number of years, some six years now—opportunity after opportunity—has found a way of picking a fight with educators across this province. I think it's a disservice. Like in every profession out there you have excellent teachers, you've got good teachers and you've got some mediocre teachers. You have good politicians, excellent politicians, mediocre politicians—no difference whatever profession we come from.

What I object to is that it almost seems as if—and I know it doesn't only almost seem, but it's been the case over the past number of years that this government has decided they're going to take a fight with a number of people across Ontario by determining what it is these people do for a living. At first, when the government ran in the election of 1995, they went out to demonize people who were on social assistance. They tried to make people believe that everybody who is on social assistance somehow is a lazy bum and doesn't deserve what they get from the state and, as such, should be penalized by kicking them off their backs, getting them out there looking for work and reducing their benefits to boot.

1720

It was vastly popular with the public. A lot of people believe in those sorts of things. I don't. I think it's the wrong way of doing things. As a result, the government picked that political fight, got some political capital out of it, and I would argue won the 1995 election big time based on their picking a fight with welfare recipients.

They continued that fight after the election and then decided they had to change the target somewhat, and that's what they did. In 1995, soon after being elected, John Snobelen, the then Minister of Education, said to his staff in the Ministry of Education that they needed to create a crisis in education, and that by creating a crisis they would have an opportunity and the backdrop to be able to make the changes that ideologically his government wanted to make. They did so. They created the crisis in education by underfunding it, by taking some \$2 billion out of the education budget, by turning the system around, inside out, on its ear, and then picking a fight with teachers. We've had nothing but attempts on the part of this government to pick a fight, not only with teachers but all education workers, and in the case of this bill, even custodial staff and support staff in the schools.

I know, I understand, that the government thinks this is politically popular. I understand that the government says, "If we go out and bash education workers and teachers, somehow or other it's a popular thing," because some people in society figure, "Those people have it pretty well off. I work hard for a living. Why is it those people are getting their summers off?" This is the sort of talk in some of the mainstream out there. The government wants to get on that side and picks a fight with teachers.

I think in the end it's a huge disservice. What we've managed to do is to create not only a fight with teachers,

but quite frankly an atmosphere in the education system that I don't think is conducive to good education. To educate children and young adults properly, you have to create an atmosphere of learning. You don't create, in my estimation, an atmosphere of learning when a government is out there stirring the pot by underfunding it and picking a fight with education workers and teachers in the education system. I think that is very counter-productive.

It's interesting that when we look at what's been happening in the teachers' colleges over the last couple of years, as a result of the fight this government has had with teachers, we now see there is a decline in enrolment in teachers' colleges and a bigger difficulty trying to attract students to go into that profession. Initially, that's not a problem because there is a sufficient number of teachers in the system to deal with the number of students we have in the system. But as time goes on and we retire many of those people who went into the education system some 25 and 30 years ago, who are now coming out on retirement, it's becoming increasingly more difficult to replace those teachers with new qualified teachers coming out of teachers' colleges. Why? Because the government has demeaned the value of teachers and what they do in their field.

Young people who are now going to college and university and who are deciding they may want to go into the educational field are saying, "Why should I choose a career that somehow is not valued by society," because that's what they're hearing out there when the government is out bashing teachers, "and why should I go into a profession that is always constantly under attack by a provincial government?"

As a result, we now have a shortage of teachers in the education system that is starting to be apparent. This exemplifies again what this government is all about: create a crisis, create a problem, and therefore you have the opportunity to make the ideological changes you want. Why are we creating private schools? I think the government to a certain extent has created a demand for funding private schools by underfunding the system and doing what they've done.

I'll just say what I said at the very beginning, which is that I would much rather see my provincial government and we, as members of the Legislature, trying to find positive ways of being able to deal with what is in the education system, what works, what doesn't work, and how we strengthen it. I don't think anybody in the education system who is currently employed—students, parents, trustees, education workers, politicians or whatever—will argue that everything in our public school system is hunky-dory and it doesn't need adjustment. I think most people would like to see some changes.

But I think that change has to happen in a backdrop that has a certain mutual respect and understanding of the willingness to make things happen in a positive way. I think it's rather unfortunate that this government has decided to pick that fight.

On the issue of the private schools, I just want to say again—because as most members of the assembly would

have gotten, I have gotten a number of e-mails on this particular issue; not a record number but certainly a lot of e-mails. Most were in support of my position, probably because I've been seen as being a supporter of our public system and opposed to the private system—the tax credit voucher that the government creates. Most of the e-mail that I got was in support of my position and says we shouldn't be using tax dollars to fund a private system. Some of the comments that people have made to me I think are very valid ones and are questions such as, if we're going to give public dollars to a private system, are we going to have some control over curriculum? How do we ensure that our tax dollars are being utilized in a way that ensures that those kids are being taught according to a standard called a curriculum as set out by the Ministry of Education? Are we going to have some sort of standards when it comes to teachers?

In our public system of education, we demand teacher testing, we demand evaluation of our teachers. Right or wrong, that system is there in place. When it comes to those teachers in the private system, are we going to have the same kind of demand that we ensure that those teachers are properly qualified to be teaching? Are we going to make sure that the students inside those private schools are not taught in an atmosphere that only teaches one particular way of thinking?

I'll give you an example. I forget the name of the school, but it's one of the private schools. I was sent an e-mail along with a URL that was pointing to their Web site. When you read the Web site of the school, their curriculum basically says they will not accept any teachings of liberalism, socialism, communism or unionism. The only thing they want to teach is capitalism. I say if that's what you want to do as a private school, go out and do it yourself but don't use my public dollars to teach one particular ideology. I believe it's important that students are given choices when it comes to what are the various political systems out there and what the different economic theories are. It's up to those students to decide what they want to believe in by way of their own conviction, their own learning and their own reading. But for public dollars to say, "We're not going to accept any speaking in the school about other economic or political theories," I think is, quite frankly, very dangerous and, I would argue, something they tried in the Communist bloc and it didn't work very well. I would hope in Ontario, in this modern society, that we wouldn't have a sort of Stalinist approach to education when it comes to what kids are supposed to learn in the education system.

That's just one example of what happens in the private schools. I don't say they all do that. I'm sure they all have different policies. My point is we need to make sure that if we're going to use public dollars, there is some public accountability. I don't see that happening within the system that the government's purporting.

That's all the time I have and I want to thank the members of the assembly for paying attention to what I have to say and look forward to comments of other members on this very important issue.

**The Acting Speaker:** Further debate.

**Mr Bob Wood (London West):** I rise to support both this motion and the bill, not because I think it's a perfect bill but because I think it is, on balance, a bill worth supporting. I'd like to take a few minutes to go through some of the specific provisions of the bill and identify those which I think are steps forward and those which I hope may see some revision in the future.

We note that the bill would extend the role of the Education Relations Commission to giving advice respecting when pupils' successful completion of courses of study is in jeopardy as a result of a strike or lockout of any board employees. I think that's a step forward. I think it's a very logical and positive thing to do.

We also would note that the bill permits boards to pass a resolution specifying that the average size of secondary school classes in the aggregate may exceed 21 pupils by an amount that is equal to or less than one pupil. That, of course, is legalese for saying they have a little more flexibility in respect to the pupil-teacher ratio. I see that as a step forward, but I should explain my view of the regime I think we should move toward with respect to boards of education. That regime is in essence this: I think that we should give greater flexibility to the boards in terms of how they operate themselves. I think we micromanage them now in a way that is not particularly helpful. I hope that in the future we will look at ways of giving them greater flexibility to do their management but hold them accountable for their methodology through a type of body like the Education Improvement Commission, which would monitor the sort of methods they are using in order to achieve the goals that are set out for them.

1730

I would also suggest that we should monitor them by results. In other words, let's take a look at the standard tests and see whether or not the levels of achievement that are expected are in fact being produced. As we move in that direction, I think we would find we could give considerably more flexibility to the boards and give them the opportunity to try some innovative ideas and some ways that may be a little different from a one-size, province-wide type of plan.

I also note in the regulations under one of the sections that there is going to be more flexibility regarding the kinds of courses and programs that may be counted as instructional time for the purposes of that section. I think that is also a step toward giving the boards more flexibility in how they conduct their business, and I think that's positive.

Section 7 of schedule A is going to repeal those sections of the act that currently make it a duty of a teacher to participate in co-instructional activities as directed by the principal. That idea was put forward and, I think, was not found to be a very good idea. I think it's a good idea to take it out of the law of this province.

Section 8 removes the duty of the principal to assign duties related to co-instructional activities to teachers.

My remarks on that section would be basically the same as the remarks I just made on section 7.

Section 9 prescribes three-year terms for collective agreements between boards and the designated bargaining agents for teachers' bargaining units. I am a strong believer in free collective bargaining. I think it should only be interfered with where the public interest requires that. It is thought that this proposal will provide more stability. Time will tell whether it actually achieves that end. I am hopeful we can get out of that kind of prescription in the fairly near future. However, I would be a reluctant supporter of that particular aspect of the bill.

The second part of the bill is schedule B, the amendments to the Ontario College of Teachers Act relating to teachers' professional learning requirements. I would have to declare my view of what I think effective teacher testing is. I'm a big believer in teacher testing, but I think effective teacher testing is to take a look at the level of student achievement at the beginning of the year, test that again at the end of the year and see whether the particular teacher has achieved the goals that might reasonably be expected during that year. That, to me, is effective teacher testing.

Speaking of what's in this bill—and members of the House and those watching on TV may find my enthusiasm for the bill diminishing somewhat as we move to schedule B—section 2 of the schedule adds "professional learning required to maintain certificates of qualification and registration" to the objects of the college.

I, of course, am not a teacher. I am a lawyer by profession, and basically we have found, among lawyers, that they are fairly good about maintaining their professional knowledge. Where we have claims of negligence against lawyers, it is practically never as a result of a lack of knowledge of the law. So lawyers seem to figure it out themselves and make sure they get the updating they need, and our profession, like all professions, has changed quite rapidly.

*Interjection.*

**Mr Wood:** I'm here to defend those parts of the legal profession that should be defended, and I'm here to be quite critical of those parts that need to be changed.

Getting back to this bill, section 3 of schedule B amends the act "to clarify that the register kept by the college containing information on each member that is available to the public would not include information concerning the professional learning courses completed by the member, unless that information forms part of a term, condition or limitation on the member's certificate of qualification and registration."

I think that's a sensible administrative section. But to get back for a moment to the general concept, in the legal profession we have found that the lawyers will update themselves. I would like to go on record as saying I'm not convinced that what this act is doing, which is basically prescribing how the teachers ought to update themselves and keep themselves current, is the best way of making certain our teaching profession in our public school system is totally up to date. I think we could leave

a lot more to them. However, I do defend section 3. If we're going to do it, section 3 makes some sense.

Section 4 of the schedule sets out "the new professional learning requirements and how the new requirements would be implemented." My comments on that of course are similar to my comments of a couple of minutes ago.

"The new section 24.6 would provide that every five years, every member of the Ontario College of Teachers shall successfully complete an approved professional learning course from one of each of seven course categories set out in the regulations ... and seven other approved professional learning courses ... in order for the member to maintain his or her certificate of qualification and registration."

Unfortunately, I think, this gets us into a bit of a one-size-fits-all situation, although I acknowledge there is flexibility within 24.6. There may be some teachers who need a lot of updating over a five-year period; there may be others who basically don't need a lot, yet we're going to say to everyone, "Every five years you've got to take these various courses as set out."

I would like to go on record as saying I am hopeful that over time we will go to more effective means of teacher testing. Teacher testing rightly done, I think, can be very helpful to the teachers, the students and the parents. But I think we should take a close look at the model we have before us with a view to significant revision over a period of time. As we take a look at experiences in that profession, take a look at experiences in other professions—how do they make certain there is competency and how do they make certain people are kept up to date?—I'm not sure we'll find in that many cases that they use the model set out in this bill.

I am hopeful that some of these reforms are going to be looked at as they proceed. I'm hopeful that some of them will be revised, but I would commend to the House this bill as, all in all, a step forward rather than a step behind.

**Mr Tony Martin (Sault Ste Marie):** I appreciate the opportunity this afternoon to put a few thoughts on the record with regard to this subject, but in another way, to put some thoughts on the record with regard to this whole session of the Legislature we've just come through, actually going back to just before Christmas for me, to put what we're doing here this afternoon somehow into that context. We're beginning to see more and more, as things start to come into better focus, the intention of this government and ultimately the result of the intention of this government where services for people are concerned, where quality of life is concerned, where the issue of the common good is concerned in this province. I have to say that it presents to me as a disturbing trend, and no more so than as we look at this piece of legislation we're debating here this afternoon under the aegis of a time allocation motion.

I want to start by saying, as my colleague from Nickel Belt has said on many occasions as we've sat here together on Wednesday afternoon, doing duty on behalf of

our caucus, with other colleagues, but the two of us, "It's Wednesday afternoon, so it must be another time allocation motion." That's the pattern in this place. Or the juxtaposition: "A time allocation motion, so it must be Wednesday afternoon."

**1740**

That might be funny, except it's sad because it reflects so very clearly the attitude of this government where public process is concerned, where public debate and dialogue are concerned, where full and due process within the political system is concerned. More and more of these pieces of legislation that affect so directly and in so many meaningful ways the services we all count on and depend on to live our lives in communities across this wonderful province that we have all had a major hand in creating are being affected in a very negative way.

I think we should all be concerned about that. As we see this government grasping at that which will get them re-elected come the next election, as we move toward the middle of their second term and the realization that's coming upon them that what got them elected in the first place was a very hard-hitting, right-wing, anti-government, anti-organized labour, anti-public service, pro-tax cuts, pro-private sector agenda, and that they were losing their grip on the controls as people began to realize the effect of that kind of approach to this province, they have now made a sharp right turn and we now have delivered to us here on a regular basis more and more legislation that takes us down that road.

This government is wont to say it's not the government, that it in fact is here to fix government. By saying that, they move themselves away from any responsibility that might be there by way of the services government offers in this province and the negative impact of the changes that are being made by government. By saying you're not government, you can ultimately get off the hook and say, "It's not me." Government now is more and more municipalities' as Queen's Park downloads responsibility for so many of the things that we all together, collectively, decided over the years Queen's Park would be responsible for.

Public health, for example: here in the last couple of days, as we've watched the hearings on the terrible disaster of Walkerton unfold, we've come to realize that the Premier, because he is the lead in the province where government is concerned, turned his back very directly and clearly on issues of public health. It was somebody else's responsibility, I guess municipalities', because the responsibility for testing drinking water was turned over to them, and with that I guess responsibility for everything else environmental that might affect the lives of people in very real and problematic ways. This government has turned its back on that.

It has also targeted very effectively people in this province who have worked very hard over a number of years to build up the kind of public offering we have for each other in this province, whether it was in the delivery of health care services, whether it was looking after our

highways, whether it was protecting our environment or, in this instance, where it came to building up our wonderful public education system. You've heard it said here by my colleagues and others that this bill that we're debating here today is nothing more than a smokescreen, a shell game, and the real initiative they're pushing through is the tax credits for private schools. I'd suggest to you it's much more than a smokescreen. There are some very real and problematic things contained in this bill, spoken of by others—the member from Renfrew a few minutes ago—as to the devastating impact, the difficulty it will create for those who have been the backbone of the education system, an education system that puts us out there on the forefront of developments in education on a worldwide scale. That we would, in such a methodical, systematic way continue to tear down that which we've built up, continue to demean and target those who have participated in that exercise so effectively and so positively over so many years, has to give all of us cause to wonder and to think and to ultimately challenge the direction that this government is going in.

You know, the bent to turn everything over to the private sector and contract things out eventually comes home to roost, because there is no accountability, there is no effort, when you privatize public services, to improve those services. There's simply a drive to make it ever more profitable. For example, the heat in this place this afternoon: the member from Renfrew-Nipissing talked about the people in this place who are responsible for that. It's not them. I'm told that the air conditioning and heating in this place is now contracted out to some company and that in fact they're responsible. They're not able to cope with or provide the kind of service that we need in here. But that shouldn't be a surprise to anybody: first, that the government is doing that, and second, that it's not working out and that we're all of us here this afternoon sitting sweltering in heat as we try to do the public work of this province.

The most problematic example, though, of the agenda of this government that I've been looking at over the last six months has been the attack by this government on those who are poor, the most vulnerable, the most at risk of our citizens out there, and for no other purpose, it seems to me as I look at it, but to gain political points. They know it's popular to welfare-bash. They know it's popular to take money away from poor people because, "You know, they're lazy anyway and it's not their money to begin with." There's no real thought-out program of

improvement to the lives of those people with this government, nor is there in this bill as it will affect the education system that all of our children will have to count on over the next years in this province.

**The Acting Speaker:** Mr Newman has moved government notice of motion 44. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members; this will be a 10-minute bell.

*The division bells rang from 1749 to 1759.*

**The Acting Speaker:** All those in favour will please rise one at a time and be recognized by the Clerk.

#### Ayes

Amott, Ted	Hastings, John	Ouellette, Jerry J.
Baird, John R.	Hodgson, Chris	Runciman, Robert W.
Barrett, Toby	Hudak, Tim	Sampson, Rob
Beaubien, Marcel	Johns, Helen	Snobelen, John
Chudleigh, Ted	Kells, Morley	Spina, Joseph
Clark, Brad	Klees, Frank	Stewart, R. Gary
Clement, Tony	Marland, Margaret	Stockwell, Chris
Cunningham, Dianne	Martiniuk, Gerry	Tascona, Joseph N.
DeFaria, Carl	Maves, Bart	Tilson, David
Dunlop, Garfield	Mazzilli, Frank	Tsubouchi, David H.
Ecker, Janet	Miller, Norm	Turnbull, David
Elliott, Brenda	Molinari, Tina R.	Wetlaufer, Wayne
Galt, Doug	Munro, Julia	Wilson, Jim
Gilchrist, Steve	Mushinski, Marilyn	Witmer, Elizabeth
Gill, Raminder	Newman, Dan	Wood, Bob
Guzzo, Garry J.	O'Toole, John	Young, David

**The Acting Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Agostino, Dominic	Curling, Alvin	Kormos, Peter
Bisson, Gilles	Di Cocco, Caroline	Lalonde, Jean-Marc
Bountrogianni, Marie	Dombrowsky, Leona	Marchese, Rosario
Brown, Michael A.	Duncan, Dwight	Martel, Shelley
Caplan, David	Gerretsen, John	Martin, Tony
Conway, Sean G.	Gravelle, Michael	Patten, Richard
Crozier, Bruce	Kennedy, Gerard	Pupatello, Sandra

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 48; the nays are 21.

**The Acting Speaker:** I declare the motion carried.

It being two minutes and 18 seconds past 6 o'clock, this House stands adjourned until 10 am tomorrow.

*The House adjourned at 1802.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Halton	Chudleigh, Ted (PC)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Hamilton East / -Est	Agostino, Dominic (L)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Hamilton Mountain	Bountrogianni, Marie (L)
Beaches-East York	Lankin, Frances (ND)	Hamilton West / -Ouest	Christopherson, David (ND)
Bramalea-Gore-Malton- Springdale	Gill, Raminder (PC)	Hastings-Frontenac- Lennox and Addington	Dombrowsky, Leona (L)
Brampton Centre / -Centre	Spina, Joseph (PC)	Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister without Portfolio (Health and Long-Term Care) / ministre sans portefeuille (Santé et Soins de longue durée)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	<b>Clement, Hon / L'hon Tony</b> (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Brant	Levac, Dave (L)	Kingston and the Islands / Kingston et les îles	Gerretsen, John (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kingston Centre / -Centre	Wetlaufer, Wayne (PC)
Burlington	<b>Jackson, Hon / L'hon Cameron</b> (PC) Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées	Kitchener-Waterloo	<b>Witmer, Hon / L'hon Elizabeth</b> (PC) Minister of the Environment / ministre de l'Environnement
Cambridge	Martiniuk, Gerry (PC)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Chatham-Kent Essex	Hoy, Pat (L)	Lanark-Carleton	<b>Sterling, Hon / L'hon Norman W.</b> (PC) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises
Davenport	Ruprecht, Tony (L)	Leeds-Grenville	<b>Runciman, Hon / L'hon Robert W.</b> (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Don Valley East / -Est	Caplan, David (L)	London North Centre / London-Centre-Nord	<b>Cunningham, Hon / L'hon Dianne</b> (PC) Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Don Valley West / -Ouest	<b>Turnbull, Hon / L'hon David</b> (PC) Solicitor General / solliciteur général	London West / -Ouest	Wood, Bob (PC)
Dufferin-Peel- Wellington-Grey	Tilson, David (PC)	London-Fanshawe	Mazzilli, Frank (PC)
Durham	O'Toole, John R. (PC)	Markham	<b>Tsubouchi, Hon / L'hon David H.</b> (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement
Eglinton-Lawrence	Colle, Mike (L)	Mississauga Centre / -Centre	<b>Sampson, Hon / L'hon Rob</b> (PC) Minister of Correctional Services / ministre des Services correctionnels
Elgin-Middlesex-London	Peters, Steve (L)	Mississauga East / -Est	DeFaria, Carl (PC)
Erie-Lincoln	<b>Hudak, Hon / L'hon Tim</b> (PC) Minister of Tourism, Culture and Recreation / ministre du Tourisme, de la Culture et des Loisirs	Mississauga South / -Sud	Marland, Margaret (PC)
Essex	Crozier, Bruce (L)	Mississauga West / -Ouest	<b>Snobelen, Hon / L'hon John</b> (PC) Minister of Natural Resources / ministre des Richesses naturelles
Etobicoke Centre / -Centre	<b>Stockwell, Hon / L'hon Chris</b> (PC) Minister of Labour / ministre du Travail		
Etobicoke North / -Nord	Hastings, John (PC)		
Etobicoke-Lakeshore	Kells, Morley (PC)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)		
Guelph-Wellington	<b>Elliott, Hon / L'hon Brenda</b> (PC) Minister of Intergovernmental Affairs / ministre des Affaires intergouvernementales		
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	<b>Hodgson, Hon / L'hon Chris</b> (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Nepean-Carleton	<b>Baird, Hon / L'hon John R.</b> (PC) Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué au dossier de l'Enfance, ministre délégué aux Affaires francophones	Scarborough East / -Est	Gilchrist, Steve (PC)
Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough Southwest / -Sud-Ouest	<b>Newman, Hon / L'hon Dan</b> (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Niagara Falls	Maves, Bart (PC)	Scarborough-Agincourt	Phillips, Gerry (L)
Nickel Belt	Martel, Shelley (ND)	Scarborough-Rouge River	Curling, Alvin (L)
Nipissing	<b>Harris, Hon / L'hon Michael D.</b> (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	Simcoe North / -Nord	Dunlop, Garfield (PC)
Northumberland	Galt, Doug (PC)	Simcoe-Grey	<b>Wilson, Hon / L'hon Jim</b> (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Oak Ridges	<b>Klees, Hon / L'hon Frank</b> (PC) Minister without Portfolio, chief government whip, deputy government House leader / ministre sans portefeuille, whip en chef du gouvernement, leader parlementaire adjoint	St Catharines	Bradley, James J. (L)
Oakville	<b>Carr, Hon / L'hon Gary</b> (PC) Speaker / Président	St Paul's	Bryant, Michael (L)
Oshawa	Ouellette, Jerry J. (PC)	Stoney Creek	<b>Clark, Hon / L'hon Brad</b> (PC) Minister of Transportation / ministre des Transports
Ottawa Centre / -Centre	Patten, Richard (L)	Stormont-Dundas-Charlottenburgh	Cleary, John C. (L)
Ottawa-Orléans	<b>Coburn, Hon / L'hon Brian</b> (PC) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales	Sudbury	Bartolucci, Rick (L)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Thornhill	Molinari, Tina R. (PC)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Thunder Bay-Atikokan	McLeod, Lyn (L)
Ottawa-Vanier	Boyer, Claudette (Ind)	Thunder Bay-Superior North / -Nord	Gravelle, Michael (L)
Oxford	Hardeman, Ernie (PC)	Timiskaming-Cochrane	Ramsay, David (L)
Parkdale-High Park	Kennedy, Gerard (L)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Parry Sound-Muskoka	Miller, Norm (PC)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Perth-Middlesex	Johnson, Bert (PC)	Toronto-Danforth	Churley, Marilyn (ND)
Peterborough	Stewart, R. Gary (PC)	Trinity-Spadina	Marchese, Rosario (ND)
Pickering-Ajax-Uxbridge	<b>Ecker, Hon / L'hon Janet</b> (PC) Minister of Education, government House leader / ministre de l'Éducation, leader parlementaire du gouvernement	Waterloo-Wellington	Arnott, Ted (PC)
Prince Edward-Hastings	Parsons, Ernie (L)	Whitby-Ajax	<b>Flaherty, Hon / L'hon Jim</b> (PC) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Renfrew-Nipissing-Pembroke	Conway, Sean G. (L)	Willowdale	<b>Young, Hon / L'hon David</b> (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Samia-Lambton	Di Cocco, Caroline (L)	Windsor West / -Ouest	Pupatello, Sandra (L)
Sault Ste Marie	Martin, Tony (ND)	Windsor-St Clair	Duncan, Dwight (L)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)	York Centre / -Centre	Kwinter, Monte (L)
		York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)
		Vaughan-King-Aurora	Vacant

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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Clerk / Greffier: Douglas Arnott

OTHER BUSINESS

Members' expenditures report

The Speaker ..... 1953

Speaker's ruling

The Speaker ..... 1953

Visitors

Mr Colle..... 1954, 1955

Mrs Bountrogianni..... 1955

The Speaker ..... 1955

Mrs Molinari..... 1955

Mr Young ..... 1955

Mr Kennedy..... 1957

TABLE DES MATIÈRES

Mercredi 27 juin 2001

DÉCLARATIONS DES DÉPUTÉS

Soins hospitaliers

M. Lalonde ..... 1952

PREMIÈRE LECTURE

Loi de 2001 modifiant la Loi sur  
la vérification des comptes  
publics (équité dans les finances  
municipales), projet de loi 93,

M. McMeekin

Adoptée ..... 1956

Loi de 2001 sur la protection et  
la conservation des quartiers et  
des logements locatifs à prix  
abordables, projet de loi 94,

M. Colle

Adoptée ..... 1956

Loi de 2001 sur l'éthique et  
la transparence des questions  
d'intérêt public, projet de loi 95,

M<sup>me</sup> Di Cocco

Adoptée ..... 1957

DEUXIÈME LECTURE

Loi de 2001 sur l'harmonisation  
des prêts d'études de l'Ontario,  
projet de loi 19, M<sup>me</sup> Cunningham

Adoptée ..... 1958

Loi de 2001 sur la réduction  
au minimum de l'utilisation  
de la contention sur les malades,  
projet de loi 85, M<sup>me</sup> Lankin

Adoptée ..... 1958

TROISIÈME LECTURE

Loi de 2001 sur l'harmonisation  
des prêts d'études de l'Ontario,  
projet de loi 19, M<sup>me</sup> Cunningham

Adoptée ..... 1958

Loi de 2001 sur la réduction  
au minimum de l'utilisation  
de la contention sur les malades,  
projet de loi 85, M<sup>me</sup> Lankin

Adoptée ..... 1958

Loi de 2001 sur des choix  
réfléchis favorisant la  
croissance et la  
responsabilisation (budget  
de 2001), projet de loi 45,

M. Flaherty

Adoptée ..... 1958

Loi de 2001 sur la négociation  
collective dans les services  
d'ambulance, projet de loi 58,  
M. Stockwell

Adoptée ..... 1959

# CONTENTS

Wednesday 27 June 2001

## MEMBERS' STATEMENTS

<b>Home care</b>	
Mr Gravelle .....	1951
<b>Canada Day</b>	
Mr Martiniuk .....	1951
<b>Sharon Reynolds</b>	
Mr Gerretsen .....	1951
<b>Occupational health and safety</b>	
Mr Kormos .....	1952
<b>Youth employment</b>	
Mr Johnson .....	1952
<b>Pharmacare</b>	
Mr Arnott .....	1952
<b>Progressive Conservative Party</b>	
Mr Duncan .....	1953
<b>Stan Darling</b>	
Mr Miller .....	1953

## REPORTS BY COMMITTEES

<b>Standing committee on government agencies</b>	
The Speaker .....	1955
Report deemed adopted .....	1955
<b>Standing committee on justice and social policy</b>	
Mr Barrett .....	1955
Report adopted .....	1955
<b>Standing committee on regulations and private bills</b>	
Mr Dunlop .....	1956
Report adopted .....	1956

## FIRST READINGS

<b>Audit Amendment Act (Fairness in Municipal Finances), 2001,</b>	
Bill 93, <i>Mr McMeekin</i>	
Agreed to .....	1956
Mr McMeekin .....	1956
<b>Neighbourhoods and Affordable Rental Housing Protection and Preservation Act, 2001,</b>	
Bill 94, <i>Mr Colle</i>	
Agreed to .....	1956
Mr Colle .....	1956
<b>Ethics and Transparency in Public Matters Act, 2001, Bill 95,</b>	
<i>Ms Di Cocco</i>	
Agreed to .....	1957
Ms Di Cocco .....	1957

## MOTIONS

<b>Consideration of Bill 81</b>	
Mrs Ecker .....	1957
Agreed to .....	1957
<b>Consideration of Bill 90</b>	
Mrs Ecker .....	1957
Agreed to .....	1957

## House sittings

Mrs Ecker .....	1969
Agreed to .....	1969

## Committee schedule

Mrs Ecker .....	1969
Agreed to .....	1969

## SECOND READINGS

<b>Ontario Student Loan Harmonization Act, 2001, Bill 19, <i>Mrs Cunningham</i></b>	
Agreed to .....	1958
<b>Patient Restraints Minimization Act, 2001, Bill 85, <i>Ms Lankin</i></b>	
Agreed to .....	1958

## THIRD READINGS

<b>Ontario Student Loan Harmonization Act, 2001, Bill 19, <i>Mrs Cunningham</i></b>	
Agreed to .....	1958
<b>Patient Restraints Minimization Act, 2001, Bill 85, <i>Ms Lankin</i></b>	
Agreed to .....	1958
<b>Responsible Choices for Growth and Accountability Act (2001 Budget), 2001, Bill 45, <i>Mr Flaherty</i></b>	
Agreed to .....	1958
<b>Ambulance Services Collective Bargaining Act, 2001,</b>	
Bill 58, <i>Mr Stockwell</i>	
Agreed to .....	1959

## ORAL QUESTIONS

<b>Walkerton tragedy</b>	
Mrs Pupatello .....	1959
Mrs Witmer .....	1959, 1960, 1961
Mr Bradley .....	1960
Mr Kormos .....	1961
<b>Young offenders</b>	
Mr Kormos .....	1961
Mr Flaherty .....	1962
<b>Hospital funding</b>	
Mrs McLeod .....	1962
Mr Clement .....	1962
<b>Ministry of Natural Resources</b>	
Mr Stewart .....	1963
Mr Snobelen .....	1963
<b>Air quality</b>	
Mr Bradley .....	1963
Mrs Witmer .....	1963
<b>Caribana</b>	
Mr Gilchrist .....	1964
Mr Hudak .....	1964
<b>Primary care reform</b>	
Ms Lankin .....	1964
Mr Clement .....	1965

## Students with special needs

Mr Kennedy .....	1965
Mrs Ecker .....	1965

## Investigation into child abuse

Mr Guzzo .....	1966
Mr Turnbull .....	1966

## Doctor shortage

Mrs Pupatello .....	1967
Mr Clement .....	1967

## Education funding

Mr Spina .....	1968
Mrs Ecker .....	1968

## Home care

Mr Bisson .....	1968
Mr Clement .....	1968

## PETITIONS

<b>Education funding</b>	
Mr Kennedy .....	1970
Mr Marchese .....	1970
Ms Di Cocco .....	1972
<b>Doctor shortage</b>	
Mr Martiniuk .....	1970
<b>Home care</b>	
Mr Bartolucci .....	1970
Mr Martin .....	1971
Ms Martel .....	1971
<b>Protection of minors</b>	
Mr Wood .....	1971
Mr Beaubien .....	1972
<b>Sharon Reynolds</b>	
Mr Gerretsen .....	1971
<b>Education tax credit</b>	
Mr Hoy .....	1972
Mr Martin .....	1972
Mr Tilson .....	1972
Mr Martin .....	1973
<b>Proposed industry site</b>	
Mr Wettlaufer .....	1973
<b>GOVERNMENT MOTIONS</b>	
<b>Time allocation, government notice of motion number 44, <i>Mrs Ecker</i></b>	
Mr Newman .....	1973
Mr Dunlop .....	1973
Mr Bryant .....	1975
Mr Marchese .....	1976
Mr Galt .....	1978
Mr Conway .....	1980
Mr Bisson .....	1983
Mr Wood .....	1985
Mr Martin .....	1986
Agreed to .....	1987

Continued overleaf



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Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Thursday 28 June 2001

Jeudi 28 juin 2001



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 28 June 2001

*The House met at 1000.  
Prayers.*

### PRIVATE MEMBERS' PUBLIC BUSINESS

#### ACCESS TO PROFESSIONS AND TRADES

**Ms Marilyn Mushinski (Scarborough Centre):** Be it resolved that in the opinion of this House, the government of Ontario should appoint or designate a person or body as a special adviser to examine existing opportunities and identify methods for improving access to trades and professions in Ontario including but not limited to the professions of medicine, nursing and engineering, for Ontarians who are foreign-trained and foreign-qualified.

As part of the review, the special adviser should conduct a comprehensive review of the programs and policies of all ministries of the government, bodies that report to those ministries and professional regulatory bodies.

The special adviser be required to make written recommendations to the government, within the time period that the government establishes, on what measures the government needs to take to enhance opportunities described in paragraph 1 that the special adviser identifies.

As soon as possible after receiving the special adviser's recommendations, the government table a copy of the special adviser's recommendations in the Legislature.

**The Deputy Speaker (Mr Michael A. Brown):** Ms Mushinski has moved private member's notice of motion number 9. The member has up to 10 minutes for her presentation.

**Ms Mushinski:** I want to start off by thanking whom-ever it was who was so thoughtful to leave a glass of water for my presentation this morning. I believe it was one of the pages. This being the last day of the Legislature, I wanted to extend my sincere thanks for their levels of service to this Legislature in the past few weeks.

I want to start off by extending my particular thanks to the Minister of Training, Colleges and Universities for her help, guidance and support in my presentation this morning. There's no question that access to trades and professions is a very serious problem for many recent immigrants and residents of Ontario who are foreign-trained and foreign-qualified. I happen to have one of the most diverse communities, I believe, in all of Ontario,

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 28 juin 2001

and I believe it is the single greatest concern among our diverse communities today, that issue of access to trades and professions.

I'd like to share a couple of specific examples of issues that are facing members of my constituency of Scarborough Centre. Recently, I received a constituency visit from a gentleman who immigrated to Canada in 1995 as a skilled person—he and his wife, actually—with landed-immigrant visas that were granted on a system-points basis. They are currently Canadian citizens. Since my constituent's arrival, he has worked for the Toronto board of education as full-time support staff. His wife is a computer programmer. This gentleman has a master of science degree in agricultural sciences and the equivalent of a bachelor's degree in education. He also has other qualifications in database programming and economics, and he's a certified tour guide. He has taught science at the high school level in Romania and since coming to Canada has volunteered as a teacher assistant for the Toronto board of education. He has worked in several schools in my riding, with an amount of 15 hours on average per week volunteering.

At the beginning of 1998, he submitted, in person, an application for registration to the Ontario College of Teachers, and he was required to pay a fee of approximately \$220. After a few months he received from the membership services the first letter, which was dated in 1998, and this letter asked him to complete the following documents: a degree transcript, a teacher education transcript, a letter of good standing and an official letter from the institutions confirming the granting of degrees. That's when the problem started. He was surprised to learn that his original documents were not acceptable and that their translation had to be signed by the Romanian embassy in London, UK, and the Romanian consulate in Toronto. I have a four-page dissertation of the red tape that my constituent had to go through, including a visit back to Romania to get the original documents, because they would not accept notarized copies.

That is just one example of the litany of complaints I have received from my constituents over six years in gaining access to trades and professions in this province.

Recently I received another visit, in this case from a university professor whose wife is taking a four-year internship in the United States because for her to get an equivalent in Canada, it would take five years. Those are the kinds of issues that I believe are pervasive, not just in Ontario, but throughout Canada.

I had a call from the close friend of one of my newspaper deliverers whose cousin was encouraged, because of his particular expertise, to emigrate from Sri Lanka. This particular gentleman is a software engineer. His wife was a practising family doctor in Sri Lanka. They were encouraged to come to contribute to the economic environment of this great province of ours, only to find the litany of red tape and barriers to access that I have already described.

I think it's important to tell you what I believe my resolution will do. My resolution asks for a comprehensive review of current practices of all ministries and professional regulatory bodies that address access to trades and professions. I believe this issue is something that all parties agree is of great concern.

On May 1, the member for Kingston and the Islands asked, "Why don't we take advantage of these individuals and fast-track them into a system whereby if they have the qualifications to be a physician in our province and they meet our standards, we approve these people?"

1010

On May 9 the member for Timmins-James Bay submitted a petition regarding access to trades and professions where it said that "the government of Ontario should implement a plan to improve access to professions and trades for foreign-trained professionals."

The aim of my resolution is to create a cohesive and seamless system for the foreign-trained and qualified applicant where ministries and regulatory bodies would have greater interaction and co-operation among themselves to decrease the waiting time and recertification period.

I believe this government has indeed been responding quite significantly to the issue of accessing the skills of foreign-trained individuals, but I also believe more work needs to be done. I believe my resolution will actually harmonize a lot of the barrier removals we're presently working on to make sure that foreign-trained individuals, most of whom settle right here in Ontario—50% of all immigrants actually settle in Ontario, and 80% of those who settle in Ontario settle within the GTA. I believe we have more of the most experienced foreign-trained individuals, professionals, driving taxis in this city than anywhere in the world.

I believe that as a government we must do everything we can to remove the barriers, to harmonize the various credentials assessment procedures and also to work with other provincial agencies, as well as the federal government, to work together to remove those barriers so that everyone who comes to this province has a fair chance and an equal opportunity to access trades and professions. Not only will it help my colleagues in cabinet who are desperate to make sure that we have as many trained individuals as possible staying here and working here, but I believe it truly will help the economic fabric of the environment in this province.

I hope that I will get all-party support for my resolution this morning.

**Mr Tony Ruprecht (Davenport):** I'm delighted to join this debate on behalf of Dalton McGuinty and my Liberal colleagues. The member from Scarborough's resolution today seems quite sincere, especially when she has a track record of introducing other pieces of information about access to trades and professions.

In short, what is access to trades and professions? It is a process by which a foreign-trained professional, a tradesperson, can enter the professions and trades in this country, especially in Ontario, as quickly as possible. That's the intent of what all parties are trying to accomplish.

To be honest, we have not been able to do it, even though we see there has been some goodwill among all three parties. For some strange reason, the ship of government is slowly turning around in terms of accepting the idea that those who are trained in other countries, in other jurisdictions—even within Canada—are able to practise in Ontario. As I just said, even within Canada, some professions and some trades will not permit a person who has a licence in Alberta—there are some professions in Ontario that will not permit a person to practise right here. That is a shame and it should have been addressed a long time ago.

However, there are a number of issues that cause us real concern with this resolution, even though I must say on behalf of our leader, Dalton McGuinty, and the Liberal Party, that we are in support of this legislation. We know these are just baby steps in the direction of opening up and streamlining this process of access to trades and professions in Ontario.

First let's look at the original access report that was tabled in 1989. It sailed right by the NDP government of 1990 to 1995. Then of course we look at the Common Sense Revolution in 1995. Right in that blue book, with the Premier's picture on the front of it, we find that there is a commitment. The commitment is, "Yes, we will take the steps necessary to open up the doors and to streamline the process so that foreign-trained professionals can access professions and trades as quickly as possible in Ontario," which makes really good sense. That's the Common Sense Revolution promise of 1995.

Today it's 2001 and we're still talking about this member's resolution, which seems sincere. She says, "We should establish a process, we should establish a person or a group of persons who will then look into this matter of providing access to trades and professions and make recommendations." Six years after the promise, this is a baby step in the right direction and that's why we will be supporting it.

But as I just said, what we want to find out from the member for Scarborough Centre is—while she was Minister of Citizenship, Culture and Recreation, she had carriage of this legislation. In other words, the people of Ontario should know she was in power: a simple signature on a simple recommendation. This one that she produced today not only would have started the process but set us ahead of this game for six years. Six years later,

we're now talking about thinking of establishing a person or a group of people to make recommendations. Wow.

What I'd like to know, and I'm sure you'd like to know the same thing, in fact what the people of Ontario would like to know is, what happened when she was Minister of Citizenship and Culture at that time with a simple stroke of the pen? What happened? The promise was in the blue book, yet was she unable to influence her own colleagues at the executive table? Was she unable to influence even the backbenchers to say, "Look, this is important"?

My second point: now, six years later—in fact from the access report of 1989, 11 years later—the chickens have come home to roost. What are those chickens? It is now clear to all of Ontario that there is a doctor shortage, that there is a veterinarian shortage, that we need literally hundreds of nurses. In fact, what we did, not too long ago, was fire nurses, cut their salaries, send them out so they could find jobs in other places, whether it was the United States, Europe or Australia. We said, "We don't need you."

Only two years later we're saying, "Oh, wait a minute. We've made a mistake. In fact, we've made a grand mistake on a grand scale." Now we're saying to those very same nurses we paid off—when we cut their contracts, we paid them off to leave and that cost an extra bundle of money—"Please come back to Ontario, because we are in desperate need of your services." It is easy to see that there are hundreds of nurses we're now trying to pay more to come back. What a mistake.

We need pharmacists—we don't have enough pharmacists—hundreds of pharmacists, in fact. Now, we didn't know that before? Of course we've known this, but it always takes a long time to steer this cumbersome machine and ship of government around into the wind, or in fact to ensure that on the doctors, because we know there's a doctor shortage, there's something happening.

1020

I know that you'd like to know, Mr Speaker, and the member for Scarborough Centre already knows that, but most of us probably don't: we think we know the reason the government has finally seen the light and said, "Yes, we have to do something about shortages in terms of doctors, in terms of physicians, in terms of supplying physician services to our communities." We know that today there is a shortage of 1,000 doctors. We have over 700 communities in Ontario alone that are crying out for physicians, and we can fill that need. So we think somehow the government has seen the light. But let me also say thank you very much to those who have worked in the bunker, who have actually done something to produce the change and prodded this government along so they could see the light.

Who were they? Well, the first organization was Skills for Change. There are others. For instance, there is the Welland Heritage Council and Multicultural Centre. There are the Council of Agencies Serving South Asians, Windsor Women Working with Immigrant Women, and South Asian Family Support Services.

They all got together and said, "There's something basically wrong when we have so many of our doctors and so many of our trained professionals driving taxis and delivering pizzas and cleaning our restaurants and cleaning our buildings, and yet they are superqualified in terms of helping us out with our shortages." What a way to go. What a way to go, when you think about it. We're asking them to drive taxis while we need them desperately because we can't fill the shortage, we can't fill the spots.

In the information technology sector alone, do you know how many jobs are open right now, while we speak? There are literally, in Ontario alone, 30,000 openings for technologists in the information sector—30,000. We're not talking about trades and we're not talking about the professions; we're talking about open jobs we can't fill. What are these people doing in the meantime? They're doing some menial task, and yet they are highly, highly qualified.

So you can see that what this government is doing is simply following the direction of these groups which have made these recommendations already.

That brings me to my next point, and that is, people always say to me, "If you are going to open up the process and accept all these foreign-trained people, then you are lowering the standards." I know the member for Scarborough Centre will agree, and also my colleagues from the third party—I know we will all agree—that is not the case. We want to put everyone on notice in Ontario that that is not what we are trying to do today with this resolution. We're not trying to lower the standards. No, we're simply saying, "Give people a chance. Open the process so they know what is expected of them," because many of them are coming from other countries and are being told by our own immigration officials, "You know what? When you come to Ontario, you're qualified. We've got a job for you." Wow. Then they arrive. They are being told that. I know, because I've been to three foreign countries and I've been in touch with our own immigration workers. They've been telling those people who are highly qualified, "Come to Ontario and you'll have a job."

When they finally come to Ontario, what awaits them here? Well, somehow the interpretation is that many of the professions and trades that are organized here are protecting their own turf and are not having a shop with open doors. I'm not saying that all of our professions and trades are protecting their turf; oh, no. In fact, I just recently met with two of them that are very good at producing their own recommendations and making changes to help out because they know we need people to practise in Ontario. For instance, the certified general accountants have made a great recommendation to change their constitution. The engineers of Ontario have done the same thing. These are just two.

But when we say here, and when you say as a government, "We're determined to do something about it," that means everybody will follow soon in those footsteps. Everyone, all these associations and all the professions,

will soon follow in those footsteps and say, "Well, they're doing something about it. We're being prodded by the government. We'd better open the doors," and so there will no longer be surprises.

What do we mean by protecting their turf? If one person, for instance, wants to write an exam and that person is being told, "That costs \$1,000"—I'm not going to mention any names here because we need their co-operation, but if you are going into a profession and you're being told that exam costs you \$1,000, it is irresponsible for that profession to say later on, "Sorry. The \$1,000 we told you about is no longer \$1,000. Now we are asking you to pay \$4,000 for that exam." There are many examples of this kind, and we could stay here all day to cite them. But since we need everyone's co-operation—the government, the Liberals, the third party; we need all of us to sit together and to say, "Yes, we want to do something about it."

Two final notes. I've already introduced some of the recommendations that were made by the access report of 1989. Ms Mushinski today is saying we need another body to make better or more recommendations. We know what these recommendations are. I'm asking the member from Scarborough Centre—she already knows it. She has good intentions; I have no doubt about that. But at the same time, we could make much more progress in this issue.

This board should be set up, because I know there's a consensus we will support this bill. If this process will be set up whereby a person or a group of people will be established, I would only hope this government will go to the sources, like Skills for Change, who have already made recommendations, and have already looked at this in detail. They know what they want. They know the process in detail. For instance, the Maytree Foundation is well placed not only to make recommendations but to be part of this group of people who will make recommendations. Ratna Omidvar is of course ready and open to help this government, and there are others.

At this point, I simply want to indicate that we will support this bill. We would hope that it passes rapidly, and we would hope that the plan we've produced will also have results.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm pleased to join in the debate with respect to the member's resolution dealing with trades and professions. I want to focus on trades from the perspective of construction trades, auto mechanics, the trades that are tremendous opportunities for our young people to get into.

Coming from an area where there's a major construction boom and obviously a great need for people who are involved in the automobile sector because of the tremendous amount of commuting that comes out of my area—from the city of Barrie and throughout the riding, it would be in the area of 30% to 40% commuter traffic every day—the opportunities here for access to trades are enormous, and it is something I believe is very important for us to focus on immediately.

Certainly there were measures taken a few years ago to deal with the apprenticeship and training act, but I believe that more can be done, certainly in the form of encouraging employers to provide the training and the opportunities for young people to choose trades—I use the construction trades as an example—and to get involved. Certainly as to the age of tradesmen, and I use the example of bricklayers, there's a tremendous number in that trade who emigrated from Italy, and the last significant amount of emigration from Italy, I believe, was in 1968. We're in the year 2001 and those individuals who were in that trade are facing an age—obviously we need new people to come in and be part of that trade. That's just one example of the trades.

### 1030

I think the roadblocks that are involved in trades are with the number of apprenticeships available with a particular employer and with our allowing the employer to have some kind of leeway with respect to the number of apprentices they are allowed to provide; also, looking at methods of allowing and encouraging small operators, whether involved in construction, whether it's in the automotive sector, to provide the training.

I've heard from constituents saying, "If the government would provide that training and not stiff me with the paperwork," and maybe we can work through a college in terms of making sure the college monitors and ensures these individuals abide by the terms of the arrangement, and also look at providing a wage subsidy or wage arrangement with small operators to encourage them to engage individuals and provide them with that expertise.

A lot of these smaller operators don't have the time to deal with that paperwork and there may not be any economic incentive for them to bring on a person and pay a certain amount of money, when the person doesn't really know anything and they have to be given the proper training. That's where there's a role the government can play in terms of providing those opportunities in skilled trades for the smaller operators, to allow them to have some kind of incentive.

I've heard from employers in the electrical trade saying, "We would like to see a greater number of apprenticeships allowed so that we can utilize the manpower the way we need to, and we can train the people," because they're of a certain size.

So in terms of access, we have great opportunities here to deal with our skilled trades. We have to improve access. I've set out a couple of examples of how that can be done. I think the member's resolution should be supported.

**Mr Doug Galt (Northumberland):** I'd like to start off by complimenting the member for Scarborough Centre for bringing forward this resolution. It's a very good resolution that will be helpful for the people of Ontario.

I'd like to make some reference in the beginning to the Premier's Task Force on Rural Economic Renewal and some of the findings we're coming across with it. Gen-

erally, people in this province have been very concerned about taxation. It's one of the reasons we've had a lot of difficulty getting industry to come here. What we were finding out with that task force was that there is a need for coordination of economic development in communities, skills training and capital. We were out doing some roundtables this past May and June, and the skills training has moved up significantly since a year ago. There's real concern for skills training here in Ontario. The taxation issue has been taken off the map, thanks to the number of tax cuts we've had, 166-plus and climbing tax cuts in Ontario, to stimulate the economy. It has done one tremendous job.

We're seeing things out there like, we're being told guidance teachers saying, "Johnny, which university would you like to go to? Oh, you don't want to go to university? You want to skills train. Well, I went to Queen's," or, "I went to Western, and I think that's where you should go," or mom and dad saying, "You've got to go to university."

That's the way it is: if you go through skills training, you're not quite up to the standards of Ontario, or something along that line, that kind of thinking. We have to turn that kind of attitude around. The money that can be made and the need for that skills training are absolutely exceptional. There are great jobs out there for those with those skills.

To use an example, at Loyalist, where there's a committee of manufacturers, they were laying out the scenario of what's happened. In the early 1990s when we were in the recession the NDP bought us into, they were saying that they had to lay off the senior CEOs because the companies couldn't afford them, and they weren't able to hire any more people because there was not enough work in these plants. They ended up with a group of people from about age 45 to age 60. Now, all of a sudden, the economic boom is on. The community colleges had shut down the courses for these skills because there was no call for them, understandably, so now we have community colleges trying to gear up.

Thanks for the introduction of this resolution the member for Scarborough Centre has brought in. Certainly her recommendations are right on with the needs in Ontario today, looking to foreign-trained people who are coming here, not getting the kind of jobs they have been trained for. Of course we have to watch for the kind of skills they have developed, the qualifications they have. We know there are lots of universities around the world that don't come close to the standards we have here in Ontario, and to have them come in and expect to be seen as having the same standards we have would certainly not be right. The academic credential assessment service our government has set up, examining universities and colleges in some 180 countries, is going to help with that.

Also, we've been recognizing and moving in the right direction. Look back to what the NDP did in 1993. They cut the number of training positions for physicians. In last year's budget, we invested \$3.5 million over three years to up the number. We've now doubled the number

of training positions for foreign-trained physicians. In this last budget, it was some \$12 million over the next three years to assist with that.

Things are moving in the right direction. There's no question there are physicians here who are doing jobs that don't use the basic training they have. We'll be able to acknowledge some of those. I'm very pleased to see that the health critic, on June 4 this year, indicated support for this kind of thing with our foreign-trained physicians. The deputy leader of the official opposition is indicating similar support. It was great this morning to hear the member from Davenport, in the official opposition, indicating support for this resolution. I look forward to hearing that the NDP, the third party, will support the resolution put forward by the member for Scarborough Centre. I can indeed enthusiastically support this resolution.

**Mr Tony Martin (Sault Ste Marie):** First of all, I want to commend the member for bringing this subject yet again before this Legislature for debate. It is an issue that has been on the table of government for quite some time—yes, even back as far as when the New Democratic Party was in government. The New Democratic Party, when they were in government, did some quite significant work in tilling the ground and preparing the platform from which to launch an aggressive and progressive approach to this whole very difficult subject.

However, the government in place today has had six years. You'd think, to hear some of them speak, that they just got into power yesterday, because they continue to blame any shortage of any sort on previous governments, in particular the government of the New Democrats between 1990 and 1995. We didn't do everything right—we certainly made our mistakes—but we did a lot of things that I think were helpful in some very difficult financial times.

The difficulty this government faces in almost everything it does these days, in almost every challenge presented to it, is that it has no money. It has no money to pay the fees, the costs of adding new professionals to the fields that are identified here this morning as crying out for attention. That's the big reason behind their not moving quickly and aggressively in this area, as well as in many other areas: they've given the money away in tax breaks. So we find, whether it's in looking after our drinking water or providing good education for students or providing assistance for people in need across the province or whether it's looking at the whole area of health care, that we have systems that are simply starving to death. And because the systems are starving to death, there's no new money for new initiatives.

1040

So even though I compliment the member this morning for bringing this resolution—it's not a bill, it needs to be noted. This is a resolution, which usually doesn't have much impact in this place. Bills very, very seldom get through. We had one example yesterday of a private member's bill. You know, we can do some things in here co-operatively and together if we have the political will,

but 99% of the time we don't. What we have here this morning is not a bill but a resolution that simply states something that I think we all see as motherhood around this place. The big issue is, is the political will present to actually put in place the structures and the resources necessary to recognize the very valuable contribution of the folks identified here as coming into Canada with tremendous skills, to actually incorporate them into our workaday lives?

I suggest that the government, in looking at all of the other challenges it faces and the need for resources, is going to find this one difficult as well. So I want to talk about this this morning very briefly in terms of the need for some immediate action and for this government to move. I'm surprised that the member opposite hasn't worked co-operatively with her government to bring forward a government member's bill that would do what she's suggesting by way of resolution here today and that in fact she doesn't know that the government is already moving on one front, however incompletely and with some difficulty for some folks, to actually try to get a handle on some of this, and I'll reference that in a few minutes.

The other thing I want to tie this into is what many are referring to these days as the racialization of poverty in this province, the fact that immigrants and visible minorities in ever-increasing numbers are finding themselves in very difficult financial straits.

I have been travelling the province for about six months now. I've been into 10 communities talking with people about the issue of poverty. More and more it's becoming obvious to me that there is in fact the phenomenon of the racialization of poverty. I think that when you look at the overwhelming number of new Canadians and immigrants into this country who are of a visible minority status and the fact that they can't seem to get the ear of government, impress government effectively such that their credentials would be recognized, this is all part of this whole phenomenon that I'm talking about here and that I'll mention briefly in further comments I will make regarding this issue this morning.

I want to put this discussion that we're having this morning into some political context for folks out there; first of all to say that the issue isn't new. What has happened recently to bring it to the fore among social justice groups is renewed organizing among immigrant groups. This organizing has been supported recently by the release last year of a report by Professor Orenstein, written for the city of Toronto. This report restates what we already know, that there is a growing gap in our society. The new piece of information is that in Toronto, where the majority of immigrant communities reside, this gap is a racialized one; that is, visible minorities are over-represented among the poor.

A new coalition has been formed by the Ontario Council of Agencies Serving Immigrants. The coalition has targeted the municipal government at the moment, but will keep the provincial government in its sights. So I think it's important to put this information on the record

here this morning as we, at the provincial level, take a look at this very important issue.

The Conservatives have been toying with this issue using some small initiatives as simply public relations tools, which is what they're doing across the board in so many other areas simply because they don't have the resources necessary to actually fix things that they have broken. They have brought in an American company, World Education Services, to assess credentials for a cost of about \$200. However, this adds up to nothing given that professionals will nevertheless face the very professional bodies that have always refused to recognize studies obtained abroad.

I remind people of a private member's bill that was before this House while this government was in power during its last term. Tony Silipo, a colleague of mine, who had some tremendous interest and had done some very significant work in this area, tabled a bill entitled Access to Professions and Trades. It would have created an agency that would assess the credentials of foreign-trained immigrants and make recommendations for the upgrading of training. The most important thing the bill does is that once the agency has assessed the training of foreign-trained professionals and established equivalence with Ontario's requirements, the professional bodies would be compelled to grant credentials, which would have been a huge, huge move forward.

Let's look at the current context within which this piece of business is floating here today. Our caucus's initiative on the need to ensure fair access to professions and trades for internationally trained workers comes at a time when the province is increasing its reliance on individuals with internationally acquired skills to meet labour shortages arising in various industries and sectors. The shortage of domestic labour is expected to grow in the construction industry, in some service sector industries and in key public service areas, such as health and education.

Canadian immigration policy has prioritized the selection of what it calls the best and the brightest, as key to ensuring the country's continued economic success as the baby boom generation nears retirement age. Moreover, the trend toward greater free trade relations with the rest of the Americas, as well as the globalization of many industries, suggest increased mobility of skilled labour from country to country, necessitating standardized and timely processes for granting licensure for internationally trained persons.

Ontario receives about 53% of Canada's immigrants, 66% of whom are of working age with post-secondary education and 28% of whom can be characterized as highly skilled professionals and tradespeople.

The economic importance of this skilled immigrant population has been established both by the federal government and the Ontario provincial government. It is argued that promoting fair access to professions and trades will contribute to Ontario's economic prosperity and help solve Ontario's skills shortages in key sectors, which is why I'm surprised that the government hasn't

moved more quickly than simply allowing a private member to bring a resolution here this morning.

Action to deal with the problem will reduce social and economic costs related to underemployment and, in some cases, social assistance. On the other hand, it will ensure that internationally trained individuals can contribute to the economy and ensure that the benefits foreseen by immigration policy, the benefits of the immigrants' skills and expertise, can be enjoyed by Ontario.

To date though, the problem of barriers to access to professions and trades for internationally trained individuals still remains to be adequately addressed. I suggest that this resolution this morning won't get us any closer.

A number of Canadian jurisdictions have taken some steps to deal with aspects of the problem. In 1991 the federal government established the Canadian Information Centre for International Credentials. Its role is to advocate for the collection, organization and distribution of information. An International Credential Evaluation Services organization is operating in Canada with a focus on academic credentials and works to establish equivalencies between universities worldwide. However, most licensing bodies don't recognize its credentials, which takes us back to the private member's bill of Mr Silipo.

Since 1995, the government of Saskatchewan has been using International Qualifications Assessment Services to assess international qualifications against Saskatchewan's standards. Though contracted by the government, individuals pay the service fees directly to that organization. Saskatchewan has a two-tier licensing process, with physicians from a select number of countries able to obtain temporary licences for five years, during which time they are expected to meet the residence requirements.

1050

In Quebec, Service des équivalences performs a similar function to Saskatchewan's, providing its recommendations to licensing bodies and universities and colleges. All immigrants can apply to have their credentials assessed, and the service is also available to those granted visas but still abroad. As early as 1973, Quebec established the Office des professions du Québec with responsibilities for liaison with licensing bodies, providing advice to government on areas of potential conflict relating to professions and informing the public about their rights.

In Manitoba, there is an immigrant credentials and labour market branch of the department of heritage and citizenship responsible for some program initiatives to assist international trained professionals and tradespeople—which goes back to Mr Ruprecht's comment earlier that this member, when she was minister of that portfolio in this government, could have done pretty much the same thing—with credential assessments and alternative career planning. It was established in response to a 1992 Manitoba task force on immigrant credentials report entitled *Issues, Trends and Options*. There is a separate office in the Ministry of Health that deals with international medical graduates, although the Manitoba

College of Physicians and Surgeons maintains control over granting medical licences.

British Columbia has an Industrial and Apprenticeship Commission responsible for vocational apprenticeship and trades certification with particular responsibility for international trained tradespeople. Some community organizations are considering court challenges of the discriminatory practices of the licensing bodies.

In Ontario, the provincial government has identified the need for information about licensing processes and has created fact sheets outlining the licensing procedures for a number of professions and trades. However, it was not until recently that it mandated the establishment of a credential assessment service. The Ontario government has contracted an American credential assessment company, World Education Services, to set up a credential assessment service. Its Toronto office will be managed by Timothy Owen.

Community and advocacy organizations have expressed concerns about the government's choice of an American company with minimum consultation. A number of regulatory bodies have already indicated that they are not interested in honouring the credentials assessments of the new agency.

Recently an access to professions and trades advocacy network was established to coordinate the work of the non-governmental organizations who want the government to take meaningful action to deal with the problem. I suggest they want them to take more action than simply bringing forward a private member's resolution to the House here on the very day that we're going to rise for the summer.

A recent report by Dr Robert McKendry to the Ministry of Health and Long-Term Care suggests that the current physician shortages will be intensified given the demographic changes, increase in female doctors and younger doctors whose preference is for limited workloads. The shortage in underserved areas is currently 534 physicians and growing, while the whole of Ontario has a shortage of 1,000 physicians and growing.

An increasing number of internationally trained professionals and tradespeople are relocating to border sites and acquiring employment in their fields in the United States. Others are waiting to get their Canadian citizenship and then relocating to the United States. The American states seem to have more flexible systems than Ontario does. This represents a new brain drain from Canada and Ontario.

If the member bringing forth this resolution this morning indicates to us that this government is finally going to take this issue seriously, then I add my 100% support, and I could suggest that our caucus will probably lend that support as well. However, don't disappoint us yet once again.

**The Deputy Speaker:** I would like to welcome to the Legislature this morning in the members' west gallery, Tonie Ambrose, who is from the fine city of Sarnia and a teacher at St Christopher's secondary school, and the sister of the member from Sarnia-Lambton. Welcome.

Further debate?

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** It is indeed a pleasure to join in the debate this morning about Mrs Mushinski's resolution on access to professions and trades.

I must say that it is unfortunate—I'll try and defend the opposition, which is not usual for me—that only two members, one from the Liberal side and one from the NDP side, spoke on this resolution. That really surprises me, because I'm sure there are other members who have concerns about immigrant involvement in terms of accessibility to some of the jobs and training. That really completely blows my mind. Maybe they'll get another opportunity another day. So, I'm surprised.

Most everybody in this country at some point in time was an immigrant, whether they came 200 years ago or two days ago. The beauty of this country is that everybody is equal, whether you came yesterday or whether you came many years ago. I am very proud and happy that, even though it was not my choice, it was my parent's choice, at the age of 17 I had the privilege of coming to this country in 1968. My story is similar to many immigrant's stories. Many of the members who were born here, their parents or their grandparents went through similar situations.

One of the things a new immigrant faces is the lack of information. I will give you a specific example. I met a doctor recently who was an active general family physician in Rexdale-Etobicoke. He told me that for eight years, when he was in BC, he had no idea how to access, how to get into the profession. The people he was living with—he was working in lumber mills—had no idea how to access the system. Then he happened to come to Ontario. He was able to talk to some people with similar interests, with similar difficulties they had gone through. He is now a very productive member of the medical profession.

I know in Mrs Mushinski's resolution—and she has spoken so eloquently, and she's so compassionate about this issue, because in her community, as in my community, there are a lot of immigrants living there, people from every walk of life. We are so blessed in Canada and Ontario. We have people from more than 100 countries in the world. They speak many languages, and they live in harmony. We talk every day about the unrest that's going on throughout the world. People, in the name of religion, different languages and different customs, are fighting. We are blessed here in Canada that everybody is living harmoniously.

Coming back to adequate information, it is very important to have that information and, at the same time, fair assessment and tools. A lot of times the federal immigration department, with good intentions, advertises in countries and brings in people, professionals we feel are going to be needed in Canada, and then they just abandon them. There is no continuing effort made to integrate them. They leave it up to the provinces to do whatever they have to do.

I'm very happy that our government is already taking initiatives in terms of \$12 million that we are going to be

spending over the next three years to help foreign-trained individuals employ their skills more quickly in Ontario and, as you've heard previously in the House, \$3.5 million over three years announced in last year's budget. We are, as a government, doing a lot of different things to try to integrate those people. Can more be done? Yes, absolutely. There's much more to be done. The new immigrant, as we all have been at some point in time, needs that one break, the so-called Canadian experience. I urge people to give them that opportunity.

**The Deputy Speaker:** The member for Scarborough Centre has two minutes to respond.

**Ms Mushinski:** I want to take this time to thank the honourable members from Davenport, Sault Ste Marie, Northumberland, Barrie-Simcoe-Bradford and Bramalea-Gore-Malton-Springdale for their significant and substantial contribution to the debate this morning.

In the limited time I have, I believe I should just address a couple of issues that were raised with respect to our government's commitment to improving access to trades and professions.

On June 14, 2001, Minister Clement announced that the government would double the number of foreign doctors being assessed and trained each year to practise in Ontario, to 90 from 36, as part of its commitment to provide Ontarians with better access to doctors. The 2001 budget committed \$12 million over three years to help foreign-trained individuals employ their skills more quickly in Ontario; \$3.5 million over three years was announced in last year's budget to support bridging programs for foreign-trained nurses and pharmacists. Clearly, our government has recognized the absolute need to improve fair access to licensing and practising in Ontario.

I just want to leave with this one note. I have a major manufacturing company in my riding that manufactures chilling systems. I did a tour of their plant and was particularly impressed by the gender and ethnic mix of the workers. The manager of that plant said it was absolutely essential that his workplace reflect the community it serves. Not only does it create a stronger environment, but it helps to boost his sales abroad.

**The Deputy Speaker:** This completes the time allocated for this ballot item. I will place the questions related to this ballot item at 12 noon.

1100

# ONTARIO WATER RESOURCES AMENDMENT ACT (WATER SOURCE PROTECTION), 2001

## LOI DE 2001 MODIFIANT LA LOI SUR LES RESSOURCES EN EAU DE L'ONTARIO (PROTECTION DES SOURCES D'ALIMENTATION EN EAU)

Mrs Dombrowsky moved second reading of the following bill:

Bill 79, An Act to amend the Ontario Water Resources Act with respect to water source protection / Projet de loi 79, Loi modifiant la Loi sur les ressources en eau de l'Ontario en ce qui concerne la protection des sources d'alimentation en eau.

**The Deputy Speaker (Mr Michael A. Brown):** The member has up to 10 minutes for her presentation.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** I am pleased to have the opportunity this morning to address the Legislative Assembly with a piece of proposed legislation that is entitled An Act to amend the Ontario Water Resources Act with respect to water source protection.

Fresh water is undoubtedly one of the most precious of all of our natural resources. The people of Ontario are most concerned about two things, I would say, that relate to our water resources. The first, of course, and the one that we hear so very much about now in the media, is water quality. Certainly we recognize as a province and as a government that we have some very serious responsibilities to ensure that the water the people of Ontario have access to is safe to drink.

The other issue that Ontarians are most concerned about is quantity. We seem to think that we live in a province—and we certainly do have and are especially blessed with abundant water resources. But there are many communities across the province where water sources have been compromised, where water levels have been significantly lower than what has been their typical and traditional level.

I must say that I have been most heartened by the response I have received from people from across Ontario who support what is being proposed in the Legislative Assembly this morning in Bill 79. This bill is very similar to a private member's bill that I introduced in the last session, Bill 121. However, this bill does have an addition. Bill 79 includes provisions that would require the Ministry of the Environment when it receives requests for permits to take water to notify the municipalities and the conservation authorities of the area where the permit would be granted.

While the direction right now is that the ministry may notify, this bill would change that and it would require that these municipalities and conservation authorities would be notified.

The addition, the difference between the present bill and the one that I introduced before, would require the director, when considering permits to take water, would consider them in light of the statement of environmental values.

The following is an excerpt from a background on the statement of environmental values:

"Statements of environmental values are a means for government ministries to record their commitment to the environment and be accountable for ensuring consideration of the environment in their decisions. The Environmental Bill of Rights requires a statement of environmental values from 14 government ministries.

"The statement of environmental values explains how the purposes of the Environmental Bill of Rights will be applied when decisions that might significantly affect the environment are made by the ministry and how consideration of the purposes of the Environmental Bill of Rights will be integrated with other considerations, including social, economic and scientific considerations that are a part of decision-making in the ministry.

"It is each minister's responsibility to take every reasonable step to ensure that the statement of environmental values is considered when decisions that might significantly affect the environment are made within that particular ministry."

I believe this is a significant addition to the proposed legislation, and I will further explain that in my remarks.

Also, I would like to make reference to a statement that was made during the first days of the hearings at the Walkerton inquiry, when Dr Kenneth Howard spoke about the problems with water-taking permits in the province, saying granting them was "like writing a cheque on your bank account without knowing how much money is coming in." Howard spoke in detail of the need for municipalities to have an understanding of the water use in their region.

I know when this bill was debated previously in the Legislature that it was presented by some of the government members that this bill was not necessary because that was happening, that notification was getting to municipalities and conservation authorities. However, I have a volume of correspondence with me this morning that very clearly indicates such is not the case. Municipalities have been made aware of significant permits to take water within their jurisdiction only after the fact, only after it has been issued. In some cases, it has presented some significant problems or concerns within the community, and municipalities would feel that they have not had an opportunity to provide the kind of input that should have been received by the ministry and certainly would be in keeping even with the statement of environmental values to assist the ministry to really appreciate a fuller ecosystem perspective on the issuing of the permits.

There are a couple of examples I would like to share with you this morning. In Hastings county, there was a permit granted at the spring head of a cold-water stream that feeds water sources miles downstream. Fortunately, this permit was revoked.

Also, in Perth there is a company that has been granted a permit of 4.5 million litres per day, and the people within that community are most concerned. This permit was issued to remove water from the Tay River. The Tay River is fed from Bob's Lake, which is in my riding, and it is part of the watershed that includes the historic Rideau Canal. This permit has been appealed under the Environmental Review Tribunal. In the hearing it was argued that issuing the permit without taking an ecosystem approach to the decision-making is really setting a precedent, and not a healthy one, I would add.

The ministry's statement of environmental values is not enshrined in legislation. This statement is part of the Environmental Bill of Rights. However, in this particular hearing the ministry's lawyers have argued that it is not binding to consider this statement because it's not incorporated in legislation. Bill 79 would require that the ministry consider the statement of environmental values.

1110

Why take an ecosystem approach when considering permits to take water? I would like to refer to the Ministry of the Environment's own business plan for 2000-01, where it indicates that one of its key commitments for the year is, "To build a better, stronger, clearer environmental agenda in keeping with our statement of environmental values. The ministry's mandate, articulated in the statement of environmental values that underpins all its activities, is to protect the quality of the natural environment so as to safeguard the ecosystem and human health and to foster the efficient use and conservation of resources."

So, within the ministry's own business plan it recognizes the importance of the statement of environmental values. However, there is also precedent within the province where it is argued that because it's not part of legislation, the ministry is not bound to that. I think that is an inconsistency that needs to be addressed. For that reason, I believe it's very appropriate that it would be incorporated in a piece of legislation that is designed to protect water sources. I have a number of quotes from individuals, municipalities and conservation authorities who believe this as well.

The town of Bancroft has said to me in a letter that in the past they have indicated their frustration with the current legislation regarding the taking-of-water permits. "It is completely inappropriate for a municipality to be notified ... after their issuance. Your proposed bill is a positive step in protecting and maintaining our delicate water resources."

In this particular community, the water source is very vulnerable. So I encourage members on both sides of the House, all three parties, to support an act that I believe will protect water sources in the province of Ontario.

**The Deputy Speaker:** Further debate?

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** I'd like to address the comments made by the member for Hastings-Frontenac-Lennox and Addington. She has spent some time in her remarks this morning dealing with two outstanding hearings that are going on in the province of Ontario; one is Walkerton and the other, which I believe started earlier this week, is the Environmental Review Tribunal in Perth.

She went even further. In her press release of June 26, she elaborated on that. Most of the press release dealt not with this bill but with what's going on in these hearings. I submit to the Legislature that the sole purpose of what she is doing in this place this morning is to prejudice those hearings. She has no right to do that. Government members cannot comment. It makes it very difficult for us on this side to debate the bill, because we cannot

prejudice those hearings. She is prejudicing those hearings. She seems to believe that she has more rights than we do, and that's not true. This legislation should not be prejudicing those hearings.

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** Two years ago in much of Ontario we were so worried about the lower-than-average precipitation that we'd experienced for close to three consecutive years. Certainly in 1999 there were water bans in many municipalities across the province. Members may know that in my riding farmers were very concerned about the continuation of irrigation-based agriculture. This was a problem in both 1999 and 1998, and I certainly received many calls about the shortage of water. Fortunately, rain did come in the summer of 2000—too much of it. It was too wet, it was too cold and it resulted in poor crops. However, we cannot forget that we had a drought comparable to what we had well over 50 years ago. As policy-makers, we should continue to strive for measures to make sure that we are prepared to meet any future shortages of water.

The present system, Ontario's current permit-to-take-water program, is designed to prevent the interference of water taking with existing uses of water. Farmers in my riding can attest to the fact that these applications are reviewed very carefully. This is done not only to prevent interference but also to ensure that there will be no adverse impact on our environment. For example, conditions on permits to take water may include the restriction that takers may not withdraw more than 10% of stream flow, in order to protect natural water course functions.

The Environmental Bill of Rights office has clear procedures that must be followed to notify interested parties about proposed water takings, including a minimum posting of 30 days on the EBR registry.

The Ontario government has shown international leadership as well with regard to water takings. People may recall that in 1999 we brought into force the water-taking and transfer regulation, which requires ministry approving directors to consider ecosystem impacts and to consult on water takings, as well as to prohibit the bulk transfer of water from Ontario's major water basins, the Great Lakes, essentially.

One year prior, in 1998, the Ministry of the Environment established the groundwater management studies fund under the provincial water protection fund to assist municipalities and public utility commissions to undertake studies to ensure the long-term use and protection of our groundwater resources. On March 31, 2000, based on approved applications, grants were prepaid to give municipalities greater flexibility in the management of their cash flow.

I do want to return to the farm situation, intensely farmed areas in Ontario, my riding of Haldimand-Norfolk-Brant and in particular on the Norfolk sand plain. The Ministry of the Environment has encouraged the farm community to consider what is referred to as off-line pond storage in order to take water into storage at

less critical times of the year. Locally, we refer to these ponds as retention ponds.

On May 3, healthy futures for Ontario agriculture approved a third water supply enhancement project in the Norfolk area. OMAFRA generously granted \$326,303 to the Norfolk Federation of Agriculture for this project. The purpose of the project is to assist farmers interested in improving their water supplies for agricultural uses.

The same type of project also received \$233,000 just last November. From this project, 27 ponds have been created or expanded to store a total of something like 23 million gallons of water. This is storing water when it's abundant, primarily in the spring of the year. It's then used to irrigate crops when water levels in local streams become low. Other offshoot activities of this program include creating impoundments, conducting engineering studies, drilling wells and designing water control structures.

Also, last December the Ministry of the Environment announced \$150,000 for the Big Creek water basin study. As a result, the Long Point Region Conservation Authority is conducting research to provide a comprehensive information program about both surface and groundwater sources, as well as the interaction of surface and groundwater.

I present this as an example locally. We have a situation where, rather than pointing fingers at each other, farmers, conservationists, local businesses, resource agencies and municipal representatives in my riding have agreed to act together to guard against low water situations in the future.

**Mr Doug Galt (Northumberland):** I have some appreciation for the intent of this bill, Bill 79, but indeed I am extremely disappointed in the member for Hastings-Frontenac-Lennox and Addington, seeing that press release that she put out on June 26, making reference to the inquiry at Walkerton, making reference to the Environmental Review Tribunal in Perth. This is blatantly trying to have political interference in our judicial procedures. That indeed is wrong and very unfortunate.

I'd like to relate an incident, while I was the parliamentary assistant with the Ministry of the Environment, that happened as it relates to water. I believe it was 1998. There was a request for a bulk water permit to take water from Lake Superior. The amount of water they requested per year—it was over a five-year period, but on an annual basis—would equal the amount of water flowing from Lake Michigan into the Mississippi through that man-made canal there. There was a big misunderstanding on the volume of water and what it was about and who had responsibility. Ontario had a responsibility: how would that water-taking permit affect that body of water? That little bit of water was not going to affect it very much. It was the federal government that had to do with exports and imports, and that's where it fell down. Of course, typical of Liberals federally, they dithered over this. Finally, because the feds wouldn't do anything, Ontario brought in a regulation that would limit the amount of

water moving from one water basin to another by a maximum of 20-litre containers.

**1120**

What's going on now in Newfoundland? Their Liberal premier, Roger Grimes, is saying he'd like to revisit this because they'd like to export water. This is after their Liberal government in November 1999 endorsed a Canada-wide accord to prohibit bulk water removal from Canadian watersheds. This is after they signed that. Later, in December 1999, they enacted a Water Resources Protection Act which prohibits removal of water in containers greater than 30 litres. Now they reversed, just a year and a half later—typical of Liberals. They now want to export water, which again comes under federal jurisdiction. I just thought it would be interesting when we're talking about water-taking permits to bring you up to date on that.

Just highlighting a few of the things our government has been doing here in Ontario to protect our groundwater, we've brought in a provincial groundwater monitoring network, some \$6 million over three years, looking at 400 sites and 38 watersheds. We have a provincial water protection fund, some \$4.3 million, looking at 34 groundwater studies, looking at possible contamination, looking at where the groundwater is for better understanding of aquifers. We're looking at long-term water and sewer infrastructure, with a tremendous investment, particularly through the OSTAR grants, some \$240 million there. That, by the way, came from the Premier's Task Force on Rural Economic Renewal, our interim report to the Minister of Finance back in April 2000.

Also we've been looking at the intensive agricultural operations, looking at how manure and various other soil nutrients may be applied or may not be applied: extensive consultation on that all across the province, over a year and a half. The bill has been introduced and we'll continue with consultations prior to second reading.

In many ways we are doing a tremendous amount for the groundwater in Ontario, providing protection for it, certainly a big step with soil nutrient management and looking at that in many different ways. Also, ensuring compliance through environmental SWAT teams is being very effective across the province to ensure that our groundwater and our surface water is not contaminated, at least purposely contaminated.

Thank you very much for the opportunity to speak on Bill 79.

**Mr James J. Bradley (St Catharines):** I want to, first of all, commend my colleague Mrs Dombrowsky for bringing forth this piece of legislation. She has been in the forefront of raising the issue in her riding about water-taking permits and the effect they can have on the province.

There are always those who are going to say—and this is one of the problems on the environment. The parliamentary assistant to the Minister of the Environment is in the House this morning and would know this. They always say, "Well, it's going to create jobs." Whatever it is, it's going to create jobs, and it doesn't matter what it's

going to do to the environment as long as it creates jobs. There are a lot of jobs that can be and have been created in this province that in fact do not have a detrimental effect on the environment in Ontario. Therefore, I think we have to proceed cautiously.

We have the Red Tape Commission of the government which has extraordinary powers to interfere in each of the ministries. Certainly during the Walkerton inquiry which is on at the present time and at which the Premier will have to testify tomorrow, it has come to light just how much power the Red Tape Commission has. I guess the point I make is that if you are thinking of the ecosystem out there, if you're thinking of jobs that are good for both our economic situation in Ontario and our environmental situation, then you would not proceed with those which simply create jobs at great expense to the environment. That is why I think the member has had to bring forward this piece of legislation.

In July 2000 the Environmental Commissioner of Ontario, Gordon Miller, put out a special report—this was not his annual report—entitled *The Protection of Ontario's Groundwater and Intensive Farming: Special Report to the Legislative Assembly of Ontario*. It was July 27 of last year and we can recall that at that time, particularly during the election campaign, the Conservative government was saying, "Don't worry. We're looking after these water-taking permits. There's a moratorium out there. We're looking after it. Everything's fine."

It reminds me of the testimony I heard yesterday at the Walkerton inquiry where ministers were saying, "Don't worry, be happy, everything's fine, nothing's going to happen." We see that when it comes to water-taking permits, sometimes the last people to find out are the local municipality or conservation authority or the residents in the area. Those of us in the opposition, and I suspect members of the government, often get their information from local groups that see that something is going on. They may not know what that something is, but something is going on. There's a water-taking permit that's going to be granted at a time when residents of rural Ontario, particularly, are wrestling with the problem of low water levels in many places. They're going to be concerned, not only about the impact on the quantity of water, but the quality of water as well, as the water diminishes in its capacity to assimilate some of the contaminants that are around, so there's more concentrated contaminant.

Let me repeat. This is the environmental commissioner saying in July of last summer: "MOE"—the Ministry of the Environment—"has not effectively used the EBR"—the Environmental Bill of Rights—"and the new water-taking and transfer regulation to manage conflict over groundwater. In the past few years, many residents have contacted the ECO"—office of the Environmental Commissioner of Ontario—"because they are concerned with the lack of information contained in registry notices, the fact that notices on the registry are the only forms of notice provided, and that the effect that their comments had on the decision-making process was not adequately

explained. In some cases, the ECO encouraged these residents to write to the MOE and request that the ministry provide enhanced public participation opportunities, such as public meetings, open houses or even mediation, on these proposals. To date, MOE has provided no evidence that these requests were seriously considered or that this type of public consultation has ever been carried out, as provided for by the EBR."

So we have Mrs Dombrowsky bringing forward this bill, not only on behalf of her own constituents but on behalf of the people of Ontario to try to address what the environmental commissioner says is a genuine problem.

Let me go on to tell you what else he's saying. "Conflicting information in the media about MOE policies on groundwater has added to the public uneasiness. In the spring of 1999, the media widely reported that MOE had placed a moratorium on the issuance of new PTTWs"—water-taking permits—"in certain parts of the province. In response to ECO inquiries, MOE clarified that a 'moratorium' was never imposed but indicated the ministry was applying increased scrutiny to reviewing PTTW applications. Yet, for many months, many media sources and some government officials continued to report that a moratorium on the issue of new PTTWs was in place. Furthermore, information about the changes to the PTTW review process was not posted on the registry for public notice and comment."

When the commissioner was asked about this, he used terminology that if we were applying it to one another in this House, we couldn't do it, because he said that the Ministry of the Environment—I don't say anyone in this House—was misleading the people of Ontario, when he reported to us, because they said there was a moratorium and there was no moratorium. That was a very great concern at that time to the Environmental Commissioner. I'm not saying it as an opposition person. There's a person who is neutral, is an officer of this House and certainly was the person favoured for the position by members of the government.

1130

It says, "In October 1999, the Minister of the Environment indicated that ministry staff had, as of May 1999, updated their procedures 'to include strictly defined time limits or expiry dates on permits.'" He goes on to say, "The public needs to be confident that MOE is managing Ontario's groundwater effectively. Our review suggests that MOE must provide guidance to staff on how to apply the criteria set out under the new regulation and staff need better data to make informed decisions about groundwater."

This is why the member is concerned. This is why Mrs Dombrowsky has brought this before the House. Does it affect the specific case she's talking about in her riding? It does. That's our job, to protect our constituents. Multiply that across the province. I was in Walkerton last summer. I was invited to a public meeting. I recall meeting, at that time, people from adjacent villages and towns who were concerned about water-taking in a specific area of the province. That was their area.

I know there's big money in it. I know there are a lot of people waiting to make money and they would like to circumvent any process that's there. The member has set out criteria that Ministry of the Environment staff should use before anything in the way of permits are granted to take water. The situation she has drawn to our attention, the Tay water deal, as it is referred to, is one that requires great scrutiny. I can certainly understand, sympathize with and support her opposition in this particular case. It is passing strange that no one on the government side seems to be overly concerned about that.

There was some testimony early on in the Walkerton inquiry. This is by Dr Ken Howard. He's an expert on water. "During the first day of hearings at the Walkerton inquiry, Dr Kenneth Howard spoke about the problems with water-taking permits in the province, saying granting them was 'like writing a cheque on your bank account without knowing how much money is coming in.' Howard spoke in detail of the need for municipalities to have an understanding of water use in the regions."

We know that water levels over the past several years, including the year 2000, have been very low and rural residents are concerned about dry wells. Water levels in lakes and streams are low. The International Joint Commission on the Great Lakes has issued warnings about water levels.

We have the bill that is presented by Mrs Dombrowsky to the members of this House for consideration. I think that the stipulations she has in this bill are very strong, that we have to ensure ministry staff must look at these water-taking permits from an environmental protection point of view and that there must be an ecosystem approach. That's why she says, in her bill, that the ministry's environmental protection strategy will place priority, first, on preventing and, second, on minimizing the creation of pollutants that can damage the environment. When the creation of pollutants cannot be avoided, the ministry's priority will be to prevent the release to the environment and, second, to minimize the release. In the event that significant environmental harm is caused, action will be taken to ensure that those responsible for the harm remediate it and prevent a recurrence.

She also says that the ministry will exercise a precautionary approach in its decision-making, especially when there's uncertainty about the risk presented by particular pollutants or class of pollutants. The ministry will exercise caution in favour of the environment.

This is a very sensible bill. This is the kind of bill that members of this House should be supporting. Frankly, if I had my druthers, as they say, I would rather the Ministry of the Environment had brought in this bill some time ago. I think it is virtually out of control in this province. The water-taking permits are out of control. There is a danger that a very valuable resource, that being water, will be lost to the people of this province. It'll happen before you can blink your eyes, in this particular case.

So do we need the provisions of this bill? Yes. Is it something that sensibly anyone in any political party could support? The answer to that is yes.

We are seeing unfolding at the Walkerton inquiry, day after day, concerns about the quality and quantity of water in this province. We had the former—I would say a man with a great reputation, a highly regarded person who would have praise heaped upon him—medical officer of health of Ontario, Dr Richard Schabas, say that the Ontario government turned its back on water safety in this province, on public health in this province, that he sat across from the Premier and the Premier turned his back on that. He has had warnings and others have had warnings about this problem.

The member has chosen a specific area to address her bill to. I'm supportive of that. I suspect that in their heart of hearts virtually everybody in this House is supportive and I urge all members of the House to support a bill which is there to protect the environment, to do something which the government has chosen to this point in time not to do of its own volition.

**Mr Tony Martin (Sault Ste Marie):** I want this morning to say thanks to the member from Hastings-Frontenac-Lennox and Addington for bringing this piece of business before us, particularly in light of what is going on in Walkerton: the inquiry and the very real interest that people out there have right now in the question of the environment and air and water, the ecosystem and everything else represented by that very important public trust that we all have here as members of this Legislature.

I suggest to the government that they need not be afraid of this bill. It is indeed a modest and reasonable offering of something you could do to protect one of those very valuable commodities that we can so easily take for granted in this wonderful country and province: water. Who would have thought, 10, 15 or 20 years ago, sitting at that lake by your cottage or out swimming at a public beach or on a boat, that we would be in the circumstance we find ourselves in today with the amount of water that we have in this province and in this country, that we would have moved so quickly and so irresponsibly to now be at a point where we poison each other? It's not just water, it's air, it's everything to do with the environment, and we need to step back and take a very serious and close look at what we're doing, particularly in light of some of the dialogue that has been going on now this past week at Walkerton and when we begin to understand the lack of accountability and the lack of taking of responsibility by those who have been put in charge by this government where the environment is concerned—the passing of the buck, the not listening to very important information that was flowing back and forth.

The only hero in this whole thing, if there's a hero—it's very difficult to find a hero in this kind of scenario unfolding—is perhaps the previous Minister of Health, Mr Wilson, who I think needs to be given at least some credit for having raised the alarm, for having run the flag up the pole, for having put on the red light here to say to the government and the Premier, by sending his deputy minister to that very infamous meeting, "Hang on. You should be doing what this bill is calling, in another

instance, the government to do, which is to take into account the impact that your decisions re the cutback in the funding of the Ministry of the Environment is going to have on the public health of not only the people but all of the ecosystem as it exists in this province today."

People in this chamber and across the province who have heard me over the last six months will know I've been saying that there's nothing more fundamental to the responsibility that we have here in this place of government, being the conscience of the community of the province of Ontario, than the protection of life, that which we do to make sure that people out there who are at risk and who are vulnerable, in the so many ways that any one of us could become at any time in our lives in the world we live in today, are looked after, that we're providing the resources necessary, that we're providing the checks and balances necessary, that we're dealing with these folks in a way that speaks to their inherent value and quality; that we as government take up that task and responsibility and, more than anything else we do, deal with it in a priority way, in an aggressive and generous way so that when organizations like the United Nations say to the rest of the world that Ontario is a wonderful place to live, that we have all kinds of things in place to look after people, that we've learned how to build community so everybody's included and valued, in fact that's really what's happening.

1140

I have to tell you, in the area of poverty and where vulnerable and at-risk people are concerned, it's becoming more and more obvious out there that this government is dropping the ball on that, that they're not taking seriously their responsibility. In fact, even more than that, they're going out of their way to make it ever more difficult for people who are experiencing poverty, who are having some difficulty participating in the communities they live in, who are having some difficulty putting ends together so they can feed their families. Every week we come in here this government is introducing, under the leadership of the Minister of Community and Social Services, ever more stringent and narrow requirements to get the very basic resources they need to look after themselves.

I suggest to you, Minister, that when it comes to the environment, it's of equal importance. If we don't look after those things that support and give life in the first place, the ecosystem, our water and our air and our trees and wildlife, ultimately it will come back and get us all. I don't know about you, but I go home on weekends and get a moment to sit in my backyard. I look at the trees growing in the ravine behind my house and I thank God for the wonderful nature we have, those trees that take carbon monoxide and make oxygen out of it and give us all that nice fresh air we so appreciate, those of us who live in northern Ontario particularly. I think, wouldn't it be awful if somebody came along tomorrow and simply cut those trees down so they could make a few bucks by selling the lumber or making some paper out of them, not

considering for a second the impact that would have on the environment we have come to appreciate.

Up in northern Ontario we look at a lake like Lake Superior. For the most part, it's still clean. It's still a lake where you can scoop water with your hand and drink it, in most parts. There are spots now, hot spots, that have been identified by international committees charged with looking at that whole area who are saying that if we're not careful, even Lake Superior, the biggest, by volume, inland mass of water in the world, is in threat of being polluted, if you can imagine. Any of you who have swum or tried to swim in some of the other great lakes, particularly in southern Ontario, and see signs up, "Swim at your own risk" or "Beaches closed," because of high levels of pollutants in the water, must be asking yourselves the question, how did we get to where we are and what can we do to improve this situation so we can send our kids to the lake, so we can go to the lake ourselves and actually swim without feeling like we might be infected in some way, so we can drink that water, so we don't have to be continually pouring more and more chemicals into that water which cause all kinds of health problems, so we can be proactive where this very important life source is concerned?

I'll tell you, this government has a penchant for turning everything we here have responsibility for and have decided over a number of years, through various colours of political parties, we should be looking after from a common, good perspective, that which we all have some stake in and have some responsibility for and need to be taking some action to protect and to share with others in a way that reflects the democracy in which we live—this government has a penchant for turning that responsibility over to the private sector. I suggest that's in many ways what happened in terms of the drinking water at Walkerton. You turned the testing of water over to a company whose main interest isn't in the provision of clean water or tests that suggest what you need to do in order to make sure that your water is clean, but is in the bottom line, is in producing profits for itself and for its investors. When that's the priority, don't be surprised if what you end up with at the end of the day is a calamity such as what happened in Walkerton.

You've done the same thing with the delivery of services to those who are vulnerable and at risk in our community. You've turned over the design and the delivery of those programs to those most vulnerable and sensitive of our citizens to a multinational corporation called Andersen Consulting. Their first priority is to take advantage of the very generous contract you've signed with them that says they get a percentage of anything they save by way of take-back from the poor in our communities. So don't be surprised if people start dying on the streets of Toronto. Don't be surprised if a lot of individuals out there who are already challenged with so many of the maladies that affect us as human beings these days, many of them of a mental health nature, don't start, because of a different attack every week on their ability to look after themselves and pay for the rent and put food

on the table and clothe themselves, thinking about ways to just kind of chuck it in and become suicidal.

I was in Ottawa, the backyard of the Minister of Community and Social Services, on Friday. We had just a whole host of people between 2 o'clock and 8 o'clock in the central block on the Hill, the main Legislature of this country, come forward and talk to us about the devastating impact of some of the decisions made by this government on programs that they count on for their very existence, and how the biggest decision they make every day when they get up now, because of the onslaught that never ends, is whether to live or whether to die. That's pretty serious business. You can't push it any further than that.

This government has pushed us all to the wall where dealing with our very basic needs is concerned. Now, in this instance, we're dealing with those life sources—the environment. This bill that we're debating here this morning that I hope the government will find, in its sense of responsibility, to support, is, as I said, a very modest and reasonable request that simply people talk to each other when decisions are made about the taking of water so that we can together determine what the overall environmental impact is going to be, both immediate and long-term, so that we don't hurt ourselves, so that we don't diminish those elements that are required for our very life.

Anybody who's been watching the lakes over the last two or three years, particularly people who have boats, will understand that that water goes up and down, and it's not because some big hydro company shuts off the dam or opens the dam; it's because of environmental considerations and concerns. Our water levels in all of the lakes in northern Ontario for the last two or three years have been significantly lower than they've been historically over the years. That's primarily, if you look at that, because of things that we've done in other areas of the environment and not protecting it so that we get the regular cycle of precipitation and rain and snow and the burn-off of water up into the clouds again so that it comes down. That's not happening in the same way that it used to.

So the issue of having enough water, the issue of making sure that those lakes stay viable and vital, becomes even more important and speaks to the importance of this piece of legislation that's tabled before us here today; that we take whatever action is necessary; that we leave political considerations aside for a few minutes and recognize in the interest of the public good, in the interest of protecting our environment, one of those life sources, water, that we all depend on for our lives; that we do the right thing and pass this bill, because if we don't, we will continue down a road that will see us giving away, taking away, turning our back on, as the Premier did not so long ago to that person given responsibility overall at a provincial level for public health, and saying, "I don't want to hear. I'm not interested. All I'm interested in is how do we cut budgets, how do we save money, how can we turn the delivery of environmental services over to the

private sector so that we can enhance the coffers of our friends and benefactors, and damn the cost?" We know now what that cost ultimately was and could be and can be.

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In this instance, all we're saying, all this member is saying—and I commend her for that—is when there's a permit brought forward that suggests that water be taken, that those people who have a responsibility talk to each other, get in touch with each other and consider in a serious and fulsome way the impact that will have on the overall environment, because if we don't do that, it is to our communal peril, I suggest.

So I'm committing our caucus this morning to supporting this very important, very helpful and very intelligent bill that has been tabled here for us to consider.

**Mr Garfield Dunlop (Simcoe North):** It's a pleasure to make a few comments on Bill Pr79, the private bill of the member for Hastings-Frontenac-Lennox and Addington, an act to amend the Ontario Water Resources Act. We've heard a lot of comments this morning about water removal, monitoring, et cetera, and I would like to just make a quick comment on the comments of the member from Sault Ste Marie. It's always amazing to hear him comment and listen to his hatred for the private sector in this province.

I come from an area of the province where we are very, very concerned about our water supplies. Most of my riding borders on Georgian Bay, and we're very concerned about the levels. I was so pleased just recently, on June 18, when the Premier signed the agreement with the Great Lakes states, the Annex 2001.

"The objective of the Great Lakes provinces and states is to protect, conserve, restore and improve the water resources of the Great Lakes basin for today and for future generations."

On June 18, when the Annex was signed, "Mike Harris, Ontario's Premier, has helped establish the foundation for a strong new standard—upon which the Great Lakes governors and premiers will base future water-use decisions.

"The critical change in the decision-making process will be the move from a good faith agreement to a binding agreement."

Hopefully in the future we will look at the Great Lakes basin and be very pleased with the water levels we see. We'll be "preventing or minimizing basin water loss through water conservation measures and return flow."

"For the first time, a formal avenue for public input will be created" through this agreement, "and a new and regular series of progress reports will be produced."

I appreciate the fact that the Premier has gone to this trouble and put this much effort in. As one of the leading parliamentarians around the Great Lakes, I was pleased to see that he has shown the leadership.

As well, "for the first time, the Great Lakes states have committed to notify and consult with the Premiers of Ontario and Quebec on all proposals subject to the US Water Resources Development Act, ... particularly given

the fact that the provinces are not bound by the authority of the WRDA" of the United States.

Every man, woman and child in this province has a strong commitment to a great environment, clean water, fresh air. I mentioned the Great Lakes systems. I'm also concerned about water removal for drilling permits. I have an area in my riding called the Oro moraine, a very sensitive area, and most of the residents are concerned about the amount of water that's being removed, particularly for things like new subdivisions, golf courses and development. There is a lot of strain and pressure on this particular area of my riding, as there is in different moraines across this province.

I appreciate the opportunity to say a few words commenting on Bill 79 this morning. I thank the other members of my caucus for their comments as well and look forward to what happens during the vote here this afternoon.

**Mr Michael Bryant (St Paul's):** I want to respond to some of the comments made by the government, particularly with respect to the hearing that is going on, the appeal that is going on right now. This government is using a common tactic: it uses the courts, the judiciary, a hearing or a judicial inquiry as a shield. It says, "We're not going to take responsibility for this; we're not going to talk to this issue in this House. Why? Well, we've got a hearing over here." And they hide behind that hearing. They hide behind the shield. They hide behind the civil litigation going on right now in Ipperwash. They hide behind the Walkerton inquiry and won't answer questions in this House.

Now they're hiding behind this issue and they won't remedy a failure that is a failure borne by this government. We have heard in this hearing that ministry officials have said that the Environmental Bill of Rights is toothless; that the statement of values is worthless because it's not binding in law. That's a failure of this government. Rights without remedies are worthless. Where this government failed to fulfill its responsibilities, it's a dereliction of its duties. I can't believe that this government, in this week when the entire province of Ontario is watching what you do, is going to yet again turn its back on public health and the environment of this province.

There is no law binding the government to consider the statement of environmental values. So say the ministry officials before this hearing. That's an admission of failure. We have an opportunity to correct that failure in this House. Thanks to Ms Dombrowsky, a private member's bill has been brought forward, and we can do that. In the constant dialogue between the courts and the Legislature, we will let the courts know that we want the statement of values to be considered when it is decided whether or not a permit is going to be passed.

So this is a test for this government. Are you going to continue to turn your back on the people of Ontario and public health in Ontario and the environment of Ontario, or are you going to support this bill for the sake—

**The Deputy Speaker:** Thank you. Response?

**Mrs Dombrowsky:** I would like to thank all of the members who have taken time to come to the House this morning to make some comments about what certainly I, and many people within my riding and many people across the province of Ontario, see to be a very important piece of legislation that would go a long way to ensure the protection of their water sources within their community.

I am very sorry when I hear members of the government suggest that there are some political motives that have given birth to this piece of legislation. I have brought this forward because I've listened to the people in my riding, who I thought had some very valid issues about their precious water resources.

I'm also very surprised when I would understand from members of the government that they had difficulty supporting what is within this piece of legislation, given that in their own business plan of this year it very clearly indicates that one of its key commitments for the year is, "To build a better, stronger, clearer environmental agenda in keeping with our statement of environment values." It is part of their business plan.

Maybe they're confused. Maybe they've been reading another business plan. We've been given to understand recently that there can be any number over there, so perhaps that is why there's some confusion. But I would suggest, when this is presented in a public document to the people of Ontario, that you have an obligation to be consistent with what you present to the people.

So it is my sincerest hope that you consider the legislation. Don't consider the member presenting it, the side of the House from which it comes, but consider the intent and the positive impact it will have on the communities, the people and the water sources in Ontario.

## ACCESS TO PROFESSIONS AND TRADES

**The Deputy Speaker (Mr Michael A. Brown):** We will now deal with ballot item 17. Mrs Mushinski has moved private member's notice of motion number 9.

Is it the pleasure of the House that the motion carry?  
Carried.

## ONTARIO WATER RESOURCES AMENDMENT ACT (WATER SOURCE PROTECTION), 2001

### LOI DE 2001 MODIFIANT LA LOI SUR LES RESSOURCES EN EAU DE L'ONTARIO (PROTECTION DES SOURCES D'ALIMENTATION EN EAU)

**The Deputy Speaker (Mr Michael A. Brown):** Now we will deal with ballot item number 18. Mrs Dombrowsky has moved second reading of Bill 79. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members; this will be a five-minute bell.

*The division bells rang from 1201 to 1206.*

**The Deputy Speaker:** All those in favour will stand and remain standing until their name is called.

#### Ayes

Agostino, Dominic	Di Cocco, Caroline	Martin, Tony
Bartolucci, Rick	Dombrowsky, Leona	McGuinty, Dalton
Bountrogianni, Marie	Duncan, Dwight	McLeod, Lyn
Boyer, Claudette	Gravelle, Michael	McMeekin, Ted
Bradley, James J.	Kennedy, Gerard	Parsons, Ernie
Bryant, Michael	Kormos, Peter	Patten, Richard
Caplan, David	Kwinter, Monte	Peters, Steve
Cleary, John C.	Lalonde, Jean-Marc	Phillips, Gerry
Conway, Sean G.	Levac, David	Ruprecht, Tony
Cordiano, Joseph	Marchese, Rosario	Smitherman, George
Crozier, Bruce		

**The Deputy Speaker:** All those opposed will please stand and remain standing until their name is called.

#### Nays

Amott, Ted	Johns, Helen	Ouellette, Jerry J.
Baird, John R.	Johnson, Bert	Runciman, Robert W.
Barrett, Toby	Klees, Frank	Sampson, Rob
Beaubien, Marcel	Martiniuk, Gerry	Spina, Joseph
Chudleigh, Ted	Maves, Bart	Stewart, R. Gary
Clark, Brad	Mazzilli, Frank	Tascona, Joseph N.
Cunningham, Dianne	Molinari, Tina R.	Tilson, David
DeFaria, Carl	Munro, Julia	Tsubouchi, David H.
Dunlop, Garfield	Mushinski, Marilyn	Wettlaufer, Wayne
Galt, Doug	Newman, Dan	Wilson, Jim
Gilchrist, Steve	O'Toole, John	Wood, Bob
Gill, Raminder		

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 31; the nays are 34.

**The Deputy Speaker:** I declare the motion lost.

All matters relating to private members' public business having been complete, this House stands adjourned until 1:30 of the clock.

*The House recessed from 1208 to 1330.*

## MEMBERS' STATEMENTS

### GOLF TOURNAMENTS

**Mr Bruce Crozier (Essex):** It has been reported that a government agency has approved another \$100,000 of taxpayers' money for a shell company led by Mike Harris's best friend, Peter Minogue, and it's for another golf tournament. The Ontario Lottery and Gaming Corp has made an additional \$25,000 contribution to the same tournament. The new confirmed gift brings the total value of grants since 1999 for golf tournaments organized and run by Mike Harris's golf buddies to an astounding \$397,000.

The shell, a not-for-profit company known as Golf Northern Ontario, was created because the company that actually runs the tournaments, Golf Strategies of Canada

Inc, owned by Jack and Paul Raino, could not qualify for funding under heritage fund rules. Heritage fund grants are supposed to be for not-for-profit companies. Golf Strategies is a private for-profit company.

Can you imagine the real benefit of \$397,000 to the taxpayers of Ontario if it were spent in an overcrowded emergency room, or it would pay for a doctor for a year in an underserved area, or it would pay for special education for 10 students who really need it, or it would pay for clean water in a small rural community? This is just another double bogey by Mike Harris.

### SCARBOROUGH SUPPORT SERVICES FOR THE ELDERLY

**Ms Marilyn Mushinski (Scarborough Centre):** It gives me great pleasure to rise in the House today to take this opportunity to congratulate an organization in my riding that has provided an invaluable service to the Scarborough community.

Scarborough Support Services for the Elderly has been providing assistance for the Scarborough community for 25 years. Scarborough Support Services is a non-profit agency. Its mission statement is, "To initiate and implement programs and services to improve the quality of life for the elderly, disabled and/or chronically ill adults in their efforts to remain independent in their own homes."

There are over 160 paid full-time and part-time employees and over 600 volunteers in various programs and services. Nearly 3,000 seniors and adults with disabilities benefit from programs and services offered by them.

I want to give you a couple of examples of what they did in just one year: 93,104 meals were delivered by volunteers to the homes of 1,073 elderly and disabled adults; 17,626 transportation trips were provided to over 433 seniors to medical, grocery shopping, seniors' programs and other essential appointments. This is a small example of what these amazing people do. Congratulations to the staff and volunteers of Scarborough Support Services. You truly do make a difference.

### SENIORS

**Mr Mario Sergio (York West):** As we get ready to leave the House today, I can't help but feel a sense of sadness for the seniors who are nowadays facing sweltering weather. Our seniors having just come through a very cold and expensive winter, I feel our seniors are being let down by the Premier and by this government. They have just received a new tax bill, with increases for our seniors as well. They are afraid for hospital care and hospitalization, and they are afraid for the care they are receiving in nursing homes and other places as well.

I want to read from a letter I have received from one of my constituents: "I petition the Mike Harris government to resign from office before they can dismantle any more of our fundamental health care rights (they are certainly preparing to create a two-tier hospital system—one for me and one for the rich)."

How can you disagree with these sentiments when our seniors are feeling the pinch from their own Premier and from their own government thinking they are so blessed to be living in Canada? They are saying, "How come we have our own Premier telling us that? Are we so grateful to the government for what they are giving us today?" Our seniors today are saying, "Are we better off today than we were five years ago?" and I have to say no, they are absolutely not any better off today than five years ago.

#### ADOPTION DISCLOSURE

**Ms Marilyn Churley (Toronto-Danforth):** Speaker, yesterday or today, everybody in this Legislature would have received a brown envelope from me, including you. I hope people will take the opportunity to look inside this brown envelope and review over the summer the information in this that I provided about my Bill 77, An Act to amend the Vital Statistics Act and the Child and Family Services Act in respect of Adoption Disclosure.

As everybody here in this Legislature knows, and particularly those who have been around for a few terms, this or a similar bill to this has come before this House on several occasions. In fact, my colleague Tony Martin introduced one that came for third reading when we were in government and came this close to passing. But one member, whose name I won't mention, who didn't support it at that time—I hope he has changed his mind, and I think he may have—held it up.

I have made a couple of attempts to pass a bill. Alex Cullen, a former member, tried to pass a bill.

This bill is long overdue. I know that most of the members from all three parties do support adoption disclosure reform in this province. We are far behind other jurisdictions in Canada, including Newfoundland and BC.

We must get these laws changed. Thousands and thousands of people are suffering unnecessary agony because we have outdated laws.

I ask everybody to read the information over the summer and get back to me if they have any questions.

#### CAMPBELLFORD WATERFRONT FESTIVAL

**Mr Doug Galt (Northumberland):** I rise in the House today to announce the annual Campbellford Waterfront Festival that is scheduled to take place on August 3, 4 and 5.

This year, along with the traditional cardboard boat races and the beach volleyball tournament, there will be dragon boat races, a belly-flop competition, dunk tank, barbecues, 50-50 draws and lots more good family fun.

The weekend will begin on Friday night with live bands playing at the Captain's Ball. Saturday starts with a pancake breakfast, the parade of cardboard boats and many activities in the park for all ages. The dramatic and hilarious cardboard boat races will be starting at 1 pm.

Last year I attended this weekend and thoroughly enjoyed watching the competitors as they struggled to keep afloat while attempting to complete the course.

There will also be barbecues on both sides of the canal this year, with a steak barbecue dinner to end this very exciting day of activities and a dance to the Saloon D'awgs on the patio of the legion to finish the night off.

The fun continues on Sunday, when another pancake breakfast will take place and the brand new competition of dragon boats will start at 10 am. This competition has 22 people in each boat working together to paddle to the finish line.

The sixth annual Campbellford Waterfront Festival is indeed a great event that you won't want to miss. I invite everyone to consider joining us for this fun-filled, action-packed weekend.

#### INTERCOUNTRY ADOPTION

**Mr Joseph Cordiano (York South-Weston):** On Tuesday, June 25, I introduced a private member's bill that would provide tax relief for families being charged intercountry adoption fees. The bill would ensure fair and equitable treatment of all adoptions regardless of the child's place of birth.

Back in March 2000, the Minister of Community and Social Services levied a \$925 head tax on international orphans. The only thing you can say about this head tax is that it was unjustifiable and discriminatory.

I ask the members opposite to support my private member's bill, because we want to ensure we're not telling the rest of the world that Ontario is discriminatory in imposing the \$925 head tax. It is unjustifiable.

Other jurisdictions, Quebec included, offer tax credit relief to those families. I cannot for the life of me understand why this government wants to continue to perpetrate this discriminatory practice by its head tax of \$925 on those families. They already face enormous burdens to undergo these adoptions internationally, and it's completely unjustifiable. I say again it is discriminatory. Do away with the head tax.

1340

#### VOLUNTEERS

**Mrs Julia Munro (York North):** I rise today to speak about one of the special activities that has taken place in this, the International Year of Volunteers. Volunteer Canada has developed and published the Canadian Code for Volunteer Involvement. The code provides organizations with a philosophical framework for involving volunteers at the governance, leadership and direct service levels. It also includes the organization standards checklist that will help agencies evaluate their volunteer programs.

Volunteers play a vital role in our society, and while this role is recognized widely, there has never been a clear statement of this importance. The code sets forth the values of volunteerism formally and consists of three important elements: values for volunteer involvement,

guiding principles for volunteer involvement and organization standards for volunteer involvement.

Volunteer involvement is vital to a just, democratic society. Volunteer involvement strengthens communities. It mutually benefits both the volunteer and the organization. Volunteering is based on relationships.

Congratulations to Volunteer Canada for their leadership role in developing the Canadian Code for Volunteer Involvement.

### COMMUNITY CARE ACCESS CENTRES

**Mr Rick Bartolucci (Sudbury):** There is an ugly rumour circulating around my community that the government is about to fire our community care access centre board of directors. I would say to Mike Harris and to the Minister of Health that that is a big mistake. That is a move in the wrong direction. Today, I ask, I plead, I implore and, if necessary, I beg you not to fire these people who are dedicated to the clients they serve.

Our board of directors has asked your government to conduct a value-for-money audit. They want you to know that they are efficient. They want you to know that they are making wise use of our tax dollars.

Earlier this morning, Minister of Health, I faxed your office a letter asking you to attend a public hearing with me so that you can hear from the board of directors, the stakeholders and the clients. My community wants you at this meeting. I'll arrange this meeting at your convenience—next week, next month, any time before the House resumes in September.

It is imperative before you act that you listen to what our board of directors has to say, what our stakeholders have to say and what our clients have to say, because the community of the city of greater Sudbury wants you to make not a rash choice; they want you to make the right choice. Listen to my community.

### HEALTH PROTECTION

**Mr Garfield Dunlop (Simcoe North):** I would like to welcome Mr Bruce Miller of the Police Association of Ontario, who is in the members' gallery today.

A number of years ago, while Mr Miller was with the London Police Service, he performed CPR on an individual who unfortunately did not survive. An autopsy was performed and it was determined that the person had a very contagious disease, spinal meningitis. Since Mr Miller could have contracted this disease while performing CPR, he was informed and was given the choice to begin treatments. If the individual had survived, Mr Miller would not have been privy to the same information, may not have taken the treatments and could have suffered from meningitis himself.

All too often, police officers, firefighters, ambulance workers and correctional officers are bitten, stabbed by syringes and forced into situations to perform life-saving CPR. We need measures put in place to allow emergency workers, good Samaritans and victims of crime to be

given enough information on their exposure to infectious diseases so they can make an informed decision on the treatments that are needed.

Along with Mr Miller, I would also like to welcome Henry Watson of the Ontario Professional Fire Fighters Association; Jimmy Lee, president of the Toronto Professional Fire Fighters' Association; and Doug Brown of the Ontario Provincial Police Association, who are in the members' gallery here today as well.

I look forward to working with them and other stakeholders over the next two months to draft a private member's bill that will be aimed at further protecting emergency workers, victims and good Samaritans.

### VISITORS

**The Speaker (Hon Gary Carr):** Seated in the Speaker's gallery today, I'm very pleased to welcome to our Legislature the Honourable Helen Sham-Ho, member of the New South Wales Legislative Council in Australia. She is joined by her husband, Robert, who is a councillor. Please join me in welcoming our honoured guests.

### SPEAKER'S RULING

**The Speaker (Hon Gary Carr):** On Tuesday, June 26, 2001, the member for Windsor-St Clair raised a point of privilege concerning recent considerations by the Board of Internal Economy of the spending estimates of the Office of the Provincial Auditor. The Minister of Labour, the member for Niagara Centre, the member for Thunder Bay-Atikokan, the government House leader and the member for Don Valley East also made submissions.

The member refers to a letter written by the Provincial Auditor on the subject of the office's annual budget wherein the auditor states, and I quote, "[a]s a servant of the Legislative Assembly and the public accounts committee, I consider the inadequate funding provided as interfering with my office's ability to fulfill its responsibilities under the Audit Act in a timely manner and is counterproductive to good accountability."

The member for Windsor-St Clair alleged that this statement amounts to a clear indication that the "government of Ontario has perpetrated a contempt of this Legislature by impeding and obstructing an officer of this House, the Provincial Auditor."

At the outset, let me describe the system as it exists for the review and approval of the Provincial Auditor's estimates. The Legislative Assembly Act, in section 87, creates the Board of Internal Economy, which is a creature of this assembly and which has membership drawn from all three party caucuses in this House. It oversees and collectively makes decisions about the management and the administration of the Legislative Assembly of Ontario.

This same Board of Internal Economy is statutorily authorized by subsection 29(2) of the Audit Act, the governing legislation of the Provincial Auditor, to

"review and may alter as it considers proper the estimates presented by the auditor, and the Chair of the board shall cause the estimates as altered by the board to be laid before the assembly and the assembly shall refer the estimates laid before it to a committee of the assembly for review."

While the executive is represented on the Board of Internal Economy, at no point is the legal entity of the government of Ontario involved in this process. The Office of the Assembly and its governance structure, the Board of Internal Economy, are statutorily and factually separate and independent from the government of Ontario. It is therefore, in effect, practically impossible for the government of Ontario, having no involvement in this process, to somehow be seen to be a body that is obstructing this process.

I therefore do not find the government of Ontario, as alleged by the member for Windsor-St Clair, has, as he put it, perpetrated a contempt on this Legislature.

As for the statements of the Provincial Auditor, he is to be commended for so strenuously protecting the interests of his office and for vigorously defending and advocating for what he sees as the genuine requirements necessary to fulfill the functions for which he was appointed by this Legislature. The letter he provided on this issue, referred to by the member for Windsor-St Clair, cannot be described as anything but forceful.

I will, however, express reservations about its more intemperate contents and will simply reiterate that the Board of Internal Economy has, and claims, the right to determine the budget appropriation for the Office of the Provincial Auditor, subject to ultimate approval by this very assembly. The Board of Internal Economy is seized with serving the public interest in this regard and with providing the Provincial Auditor—and all the parliamentary officers—with the tools that it determines he needs to perform his function. The board's valid determination in this regard is final and while issue may be taken with its decision, the board has and asserts its right to make such decisions. Furthermore, with respect to the current case regarding the Provincial Auditor's budget submission, that decision has not yet been made by the board.

Finally, I can only observe how circular and illogical the argument becomes that somehow this process I have described has resulted in a contempt having been perpetrated on the assembly, since it is the assembly itself that has created, approved, participated in and followed this process. It is not a matter of privilege for the board to carry out its responsibilities. The Legislature can hardly be in contempt of itself; the assembly is master of its affairs and to the extent described above, master of its parliamentary officers, which it appoints. It is not the other way around.

I thank all of the members for their kind input.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: I would have appreciated a notation in your response that the majority control of the Board of Internal Economy is composed of members of

the government. That wasn't in your response. Second, it also has representatives, as defined in our Legislative Assembly Act, who are also cabinet ministers. I think that should have been noted, sir, in your response. The final point I would like to add: I found out yesterday that in fact in Ottawa the Auditor General of Canada had a 15% increase in her budget approved, a total of almost \$8 million, which is more money—just the increase—than is spent entirely in auditing our functions here, sir.

**The Speaker:** You're correct about the composition.

**Mr John O'Toole (Durham):** On a point of order, Mr Speaker: The member from Simcoe North paid respect to the Police Association of Ontario, and I'd like to draw to your attention that Anne Crawford, who was the first female in the Durham Regional Police Service, is retiring after 34 years of service. I would think the members should pay some respect to that valuable service to community.

**The Speaker:** I thank the member.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON GENERAL GOVERNMENT

**Ms Marilyn Mushinski (Scarborough Centre):** I beg leave to present a report from the standing committee on general government and move its adoption.

**Clerk at the Table (Ms Lisa Freedman):** Your committee begs to report the following bill as amended:

Bill 57, An Act to promote government efficiency and to improve services to taxpayers by amending or repealing certain Acts / *Projet de loi 57, Loi visant à favoriser l'efficience du gouvernement et à améliorer les services aux contribuables en modifiant ou en abrogeant certaines lois.*

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1351 to 1356.*

**The Speaker:** Mrs Mushinski has moved the adoption of the report from the standing committee on general government respecting Bill 57. All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Amott, Ted	Hodgson, Chris	Runciman, Robert W.
Baird, John R.	Hudak, Tim	Sampson, Rob
Barrett, Toby	Johns, Helen	Spina, Joseph
Beaubien, Marcel	Johnson, Bert	Sterling, Norman W.
Chudleigh, Ted	Klees, Frank	Stewart, R. Gary
Clark, Brad	Marland, Margaret	Stockwell, Chris
Clement, Tony	Martiniuk, Gerry	Tascona, Joseph N.
Cunningham, Dianne	Maves, Bart	Tilson, David

DeFaria, Carl  
Dunlop, Garfield  
Ecker, Janet  
Elliott, Brenda  
Galt, Doug  
Gilchrist, Steve  
Gill, Raminder  
Guzzo, Gary J.  
Hastings, John

Mazzilli, Frank  
Miller, Norm  
Molinari, Tina R.  
Munro, Julia  
Murdoch, Bill  
Mushinski, Marilyn  
Newman, Dan  
O'Toole, John  
Ouellette, Jerry J.

Tsubouchi, David H.  
Turnbull, David  
Wettlaufer, Wayne  
Wilson, Jim  
Witmer, Elizabeth  
Wood, Bob  
Young, David

## DEMOCRATIC HERITAGE ARCHAEOLOGICAL PRESERVATION ACT, 2001

### LOI DE 2001 SUR LA PRÉSERVATION ARCHÉOLOGIQUE DU PATRIMOINE DÉMOCRATIQUE

**The Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

#### Nays

Agostino, Dominic  
Bartolucci, Rick  
Bisson, Gilles  
Bountrogianni, Marie  
Boyer, Claudette  
Bradley, James J.  
Brown, Michael A.  
Caplan, David  
Churley, Marilyn  
Conway, Sean G.

Cordiano, Joseph  
Crozier, Bruce  
Di Cocco, Caroline  
Dombrowsky, Leona  
Duncan, Dwight  
Gravelle, Michael  
Hampton, Howard  
Kormos, Peter  
Kwinter, Monte  
Lalonde, Jean-Marc

Lankin, Frances  
Levac, David  
Marchese, Rosario  
Martel, Shelley  
Martin, Tony  
Parsons, Ernie  
Peters, Steve  
Phillips, Gerry  
Ruprecht, Tony  
Sergio, Mario

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 49; the nays are 30.

**The Speaker:** I declare the motion carried.

Pursuant to the order of the House dated June 20, 2001, the bill is ordered for third reading.

## INTRODUCTION OF BILLS

### HIGHWAY TRAFFIC AMENDMENT ACT, 2001

#### LOI DE 2001 MODIFIANT LE CODE DE LA ROUTE

Mr Levac moved first reading of the following bill:

Bill 96, An Act to amend the Highway Traffic Act to double the fines for speeding / Projet de loi 96, Loi modifiant le Code de la route en vue de doubler les amendes pour excès de vitesse.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

The member for a short statement?

**Mr Dave Levac (Brant):** I'm awfully glad that I've enticed all the members to listen.

The bill would double the fines for speeding under subsection 128(14) of the Highway Traffic Act, which makes it a double fine if you're caught speeding in a construction zone, to protect the safety of our construction workers. It would also double the fine for speeding in a community zone, to protect our children in school areas.

### SOUTH ASIAN HERITAGE ACT, 2001

#### LOI DE 2001 SUR L'HÉRITAGE SUD-ASIATIQUE

Mr Gill moved first reading of the following bill:

Bill 98, An Act to proclaim May as South Asian Heritage Month and May 5 as South Asian Arrival Day / Projet de loi 98, Loi proclamant le mois de mai Mois de l'héritage sud-asiatique et le 5 mai Jour de l'arrivée des Sud-Asiatiques.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** This bill would proclaim May as South Asian Heritage Month and May 5 as South Asian Arrival Day in recognition of the contributions made to Ontario by persons of South Asian descent.

### SAVE OUR ARCHITECTURAL HERITAGE ACT, 2001

#### LOI DE 2001 VISANT À SAUVEGARDER NOTRE PATRIMOINE ARCHITECTURAL

Mr Marchese moved first reading of the following bill:

Bill 99, An Act to amend the Ontario Heritage Act to promote the conservation of buildings of historic or

architectural value / Projet de loi 99, Loi modifiant la Loi sur le patrimoine de l'Ontario pour promouvoir la conservation de bâtiments ayant une valeur historique ou architecturale.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Rosario Marchese (Trinity-Spadina):** The bill makes the following amendments to the Ontario Heritage Act:

(1) Municipal councils are given power to prohibit the demolition of buildings that have been designated under part IV, Conservation of Buildings of Historic or Architectural Value, and the demolition of buildings in areas designated under part V, Heritage Conservation Districts. Currently the act merely allows councils to delay demolition for 180 days;

(2) The council's decision may be appealed to the Conservation Review Board, and a provision dealing with financial assistance for owners of heritage property is also included.

#### VISITORS

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** On a point of order, Mr Speaker: I would like to welcome Pierre-Luc Sauvé of l'école Saint-Jean-Baptiste de L'Original. Pierre-Luc is spending the week here at Queen's Park. Bienvenue, Pierre-Luc.

**Mr Rick Bartolucci (Sudbury):** On a point of order, Mr Speaker: I know all the members in the House would like to welcome Paulette Gras, the mother of Anthony Gras, one of our pages, along with Anthony's brothers: Christopher, who's 12, and Gregory, who's nine. They're joined in the gallery by the billeting parent, who is also the mother of Matt Leroux, so Mrs Leroux, thank you very much as well.

**The Speaker (Hon Gary Carr):** While we're speaking of mothers, the chief government whip, Mr Klees, informed me that his mother will be watching today, and our thoughts and our prayers are with her on the passing of her husband. I also invited her down to lunch. I believe she lives in the St Thomas area. So in case it doesn't get passed along to Mrs Klees, hopefully we'll get a chance to come down and have lunch here at the Ontario Legislature. Our thoughts and prayers are with you.

#### LEGISLATIVE PAGES

**The Speaker (Hon Gary Carr):** Just before we begin with motions, this is also the last day for our fine pages. I would ask all the members to please join in thanking our pages for their great job. Well done.

*Applause.*

We wish them well in all their future endeavours.

#### MOTIONS

##### HOUSE SITTINGS

**Hon Janet Ecker (Minister of Education, Government House Leader):** I move that pursuant to standing order 9(c)(iii), the House shall continue to meet until midnight on Thursday, June 28, for the purpose of considering government business.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1410 to 1415.*

**The Speaker:** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

##### Ayes

Agostino, Dominic  
Amott, Ted  
Baird, John R.  
Barrett, Toby  
Bartolucci, Rick  
Beaubien, Marcel  
Bisson, Gilles  
Boyer, Claudette  
Bradley, James J.  
Brown, Michael A.  
Caplan, David  
Chudleigh, Ted  
Churley, Marilyn  
Clark, Brad  
Clement, Tony  
Conway, Sean G.  
Cordiano, Joseph  
Crozier, Bruce  
Cunningham, Dianne  
DeFaria, Carl  
Di Cocco, Caroline  
Dombrowsky, Leona  
Duncan, Dwight  
Dunlop, Garfield  
Ecker, Janet  
Elliott, Brenda  
Galt, Doug

Gilchrist, Steve  
Gill, Raminder  
Gravelle, Michael  
Guzzo, Gary J.  
Hampton, Howard  
Hardeman, Ernie  
Hastings, John  
Hodgson, Chris  
Hudak, Tim  
Jackson, Cameron  
Johns, Helen  
Johnson, Bert  
Kennedy, Gerard  
Klees, Frank  
Kormos, Peter  
Kwinter, Monte  
Lalonde, Jean-Marc  
Lankin, Frances  
Levac, David  
Marchese, Rosario  
Marland, Margaret  
Martel, Shelley  
Martin, Tony  
Martiniuk, Gerry  
Maves, Bart  
Mazzilli, Frank  
Miller, Norm

Molinari, Tina R.  
Munro, Julia  
Murdoch, Bill  
Mushinski, Marilyn  
Newman, Dan  
O'Toole, John  
Ouellette, Jerry J.  
Parsons, Ernie  
Peters, Steve  
Phillips, Gerry  
Runciman, Robert W.  
Ruprecht, Tony  
Sampson, Rob  
Sergio, Mario  
Spina, Joseph  
Sterling, Norman W.  
Stewart, R. Gary  
Stockwell, Chris  
Tascona, Joseph N.  
Tilson, David  
Tsubouchi, David H.  
Turnbull, David  
Wettlaufer, Wayne  
Wilson, Jim  
Witmer, Elizabeth  
Wood, Bob  
Young, David

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 81; the nays are 0.

**The Speaker:** I declare the motion carried.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: I seek unanimous consent for this House to sit on Tuesday, July 3, at 1:30 pm.

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noes.

##### COMMITTEE SITTINGS

**Hon Janet Ecker (Minister of Education, Government House Leader):** I have one more motion, which I discussed with the House leaders previously. I seek

unanimous consent to move a motion without notice respecting the standing committee on public accounts.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

**Hon Mrs Ecker:** I move that the standing committee on public accounts be authorized to meet for up to four days, and in addition to be authorized to adjourn to Regina, Saskatchewan, to attend the annual meeting of the Canadian Council of Public Accounts Committees; and that the committee be authorized to release its reports during the summer adjournment by depositing a copy of any report with the Clerk of the Assembly, and upon the resumption of the meetings of the House the Chair of the committee shall bring any such reports before the House in accordance with the standing orders.

**The Speaker:** Mrs Ecker has moved that the standing committee on public accounts be authorized—dispense?

*Interjection.*

**The Speaker:** No dispense.

Mrs Ecker has moved that the standing committee on public accounts be authorized to meet for up to four days, and in addition to be authorized to adjourn to Regina, Saskatchewan, to attend the annual meeting of the Canadian Council of Public Accounts Committees; and that the committee be authorized to release its reports during the summer adjournment by depositing a copy of any report—

*Interjection:* Dispense.

**The Speaker:** We already tried; he said no—with the Clerk of the Assembly, and upon the resumption of the meetings of the House the Chair of the committee shall bring any such reports before the House in accordance with the standing orders.

Is it the pleasure of the House that the motion carry? Carried.

1420

**Mr John O'Toole (Durham):** On a point of order, Mr Speaker: You would know that I have introduced a motion on decorum in the House and it has yet to be debated. Recognizing the temperature and the heat in here today on the last day, I think it's absolutely critical that we ensure that the ministers of the crown always wear a tie while on duty in the House.

**Mr Steve Peters (Elgin-Middlesex-London):** On a point of order, Mr Speaker: It's come to my attention that the air conditioning in the legislative chamber is about to be repaired for next week. We've already heard a motion to have the House sit for the month of July, and that was turned down. But, seeing that the air conditioning will be on next week, I seek unanimous consent that this House sit for the first week of July.

**The Speaker:** Is there unanimous consent? I'm afraid I heard some noises.

**Mr Dominic Agostino (Hamilton East):** On the same point of order, Mr Speaker: I would just ask the House that the Ministry of Labour be called in to investigate the heat in here and see if these are suitable working conditions. I would ask that the inspector actually visit the site rather than doing it as a phone call.

**Mr Peter Kormos (Niagara Centre):** On the same point of order, Speaker: If I may, as a result of Bill 57, the inspector will be phoning and saying it doesn't sound very hot in there over the phone.

**The Speaker:** You think it's hot for you folks? I have to keep getting up and down on these points of order. It's like a workout here.

Is there unanimous consent? I'm afraid I heard some noises.

## RESIGNATION OF MEMBER FOR BEACHES-EAST YORK

**Mrs Margaret Marland (Mississauga South):** On a point of order, Mr Speaker: I request unanimous consent for each caucus to be given five minutes to share in the recognition of the departure from provincial politics of the member for Beaches-East York, Frances Lankin.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

**Mrs Marland:** I consider it both a privilege and an honour for me to speak on behalf of the government in tribute to my friend Frances Lankin. This member for Beaches-East York leaves in her wake an enormous void to be filled by a future member.

Frances has been a role model for members in many ways. Although of course her party politics are not what we share, we admire her commitment to serve her constituents, and that has never wavered.

She has never forgotten why she was elected or by whom. Frances's purpose in being elected was always to make a difference in the lives of people, whether for one individual or many people.

Because of her ability, the former Premier, Bob Rae, recognized that she should be an important person in his cabinet and appointed her as Minister of Health, Chair of Management Board, Minister of Government Services and Minister of Economic Development and Trade. Certainly, as a member of the opposition for the five years of that government, those of us who were in that responsibility always found Frances Lankin a particularly fair and accessible minister from our opposition viewpoint.

Yesterday in this place we recognized her contribution by the passing into law of Frances Lankin's private bill, Bill 85, An Act to minimize the use of restraints on patients in hospitals and on patients of facilities. This bill probably says more about Frances the person than any words I can express today. She has always put her family first and has been particularly devoted to her mother's care these past few years.

United Way, and through that organization the people of Toronto, indeed Ontario, will be the beneficiaries of your caring commitment and dedication, Frances. We will all miss your humour, some of which of course has only been shared, dare I say, with the female members of this chamber. It's actually a fact and it's been a lot of fun. We will also miss your depth of conviction and passion.

We wish you great success in your new career and may you always be blessed with good health, to follow your dreams and live a fulfilled life.

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** I'm delighted on behalf of my Liberal colleagues to join Mrs Marland and other members of the Legislature in paying tribute—sadly, in a way—to the imminent departure of our friend and esteemed colleague the member from Beaches-East York.

As I seem to be saying more often than I probably should these days, I've been around here a while and I think I can say without any fear of contradiction that Frances Lankin is certainly, from my point of view, one of the ablest people with whom I've served in over a quarter of a century, both in opposition and watching her, as Mrs Marland has so eloquently pointed out, in her five years in government.

It's the fashion in sports to talk about people who are natural to the business. You go to the arena, to the ball diamond, to the soccer pitch, and you see young people and you hear the wise men and women in that business say, "There is a natural talent." I think I can say, watching Frances Lankin for 11 years, that she was a natural to the business of politics.

Knowing something, as I do, about the history of politics and politicians, I was thinking, can I think, in my experience or in the historical literature in Canada, of someone who has gone from the jailhouse to the cabinet room? And I can't. I must sadly say I can think of a number of cases provincially and nationally where honourable members have gone from the cabinet room or the parliamentary place to the penitentiary or to the jailhouse, but I can't think of a case where someone came from the jail to the Legislature.

I think we all know that our colleague Ms Lankin, before coming to the Legislature, had a very significant career in the union movement, but her professional and work career was that of a correctional services officer.

#### *Interjections.*

**Mr Conway:** I think the NDP is unduly worried today. I don't think they should be.

I think it reminds us, this remarkable talent whom we rightly honour today, that the recruitment to politics ought to consider the broadest possible canvass. I meant what I said, and I think I speak for everybody here, that Ms Lankin is a very able politician and parliamentarian, and it is very useful for all of us to think about the skills and experiences she brought to her responsibilities. It has to be said that in government and in opposition she was a real power and a very significant force. I will leave it to her and her publisher some many years hence to tell her version of those very significant events in 1991, 1992, 1993, that only she would want to tell through a good publisher.

I think of Frances as one of the most significant women in politics that I have ever known. In fact, Frances, I have to tell you that you remind me a lot of my old friend and colleague Bette Stephenson—a real force,

a force to be reckoned with, a force of a different character in some respects but a force nonetheless.

I would say to new members, young members, what is it that gives to our colleague Ms Lankin the kind of reputation we properly celebrate today? I was talking to my friend Bradley today about this and he said, "You know, the thing about Frances that was so great is that she had real credibility." And why and where did her credibility come from? Well, to begin with, in my experience both in government and in opposition, she knew what she was talking about. She knew her file.

I remember, and Frances probably will, that day nine years ago when I got up here and without notice asked, amid my normal bluster, a pointed question—of urgent and pressing necessity, I might add—about a crisis in cheese curds in St Albert, a farmer's co-op. And do you know what, I say to my friend from London North? Ms Lankin knew what I was talking about and parried the question very effectively and, most importantly for the 55 people who worked at the St Albert farmers' co-op in eastern Ontario, she solved their problem.

#### **1430**

So I think Bradley speaks for all of us when he says that Frances had real credibility because she knew what she was talking about and she was always attentive to the concerns not just of her constituents but, ministerially, of her responsibilities in the various departments. Certainly in my experience in committee she was always very attentive not just to what the deputants were saying, but what her colleagues were suggesting in the process.

Finally, I want to say that in my experience I really liked dealing with Frances Lankin because I felt that her word was absolutely golden. When she told you something as a colleague in opposition and, perhaps even more importantly, in government, you could absolutely rely on the worth of her word.

So I want to say to you, Frances, speaking for myself and my colleagues, your contribution has been very significant, your loss to the Legislature is very serious and in many ways sad, but you leave many friends and a very, very significant legacy. On behalf of Dalton McGuinty and the Liberal caucus, we wish you good luck and godspeed in your new and important responsibilities.

**Mr Howard Hampton (Kenora-Rainy River):** It's my pleasure on behalf of New Democrats everywhere to express our appreciation and our congratulations to the member for Beaches-East York, Frances Lankin. First let me state the obvious. We have been blessed and fortunate to have had Frances Lankin as a member of our caucus. We have benefited from her considerable experience, her eloquence and her commitment to the cause. I personally will miss her willingness to take on major areas of social policy and to handle them with obvious expertise.

In 11 years, I have gotten to know the member for Beaches-East York well, sitting around a cabinet table when it seemed like every day the decisions you were going to have to make were tougher than the decisions you made the day before, and spending time in opposition with her. I even had the experience of going through

a leadership race with Frances, where I discovered that I was not the only one in the room with sharp elbows.

We will miss Frances. We will miss her in many ways. But we all recognize that Frances is not going to stop making a contribution to the lives of the people of this province, and especially the lives of the people in Toronto. This is a very positive step for the United Way. They have selected someone who is passionate, articulate, experienced, committed and, as we say around here, has media savvy.

To members of the government, lest you think it will go easier for you now, let me destroy those illusions right here. Do you really believe for an instant that Ms Lankin will stop hectoring you about the need for affordable licensed child care, about the shame of homelessness in a province that boasts about its wealth, about the need for more generous government support for community services? If any of you believe any of that, let me tell you that's not going to happen.

I suspect what you will find now is that the member for Beaches-East York is going to become, for this government, the member who is at large everywhere on these issues, and we look forward to that. In fact, we believe that Frances Lankin is going to make an even more substantive contribution to the lives of the people in Toronto and the lives of people in Ontario than she has heretofore. There's no doubt that this Legislature will miss her counsel, that we will miss her passion, that we will miss her eloquence in this place. But I know, from the 11 years that I have known Frances Lankin, that this is just the beginning of a job for her and one that she will take on with great relish.

I want to say to you, Frances, and I don't think we can say this enough, we thank you very much for your considerable contribution. We know that your considerable contribution, though, is just beginning. As New Democrats we thank you for your commitment to our cause, but we know your commitment to our cause is not changing; it's just going on to another place. We thank you for your friendship. We thank you for your willingness to take on tasks to which many people said, "No thanks. I'll pass on that one."

Most of all we thank you for the 11 years that you have been with us and the 11 years that you have given us all. We look forward to seeing you do even bigger and better things in your new position. Thank you very much.

**Ms Marilyn Churley (Toronto-Danforth):** On a point of order, Mr Speaker: Could I ask for unanimous consent for the member for Beaches-East York to respond?

**The Speaker:** Agreed? Agreed.

**Ms Frances Lankin (Beaches-East York):** Thank you. This is my idea, not Kormos's. I'm not doing a filibuster. Don't worry, Janet.

My sincere thanks to Margaret, Sean and Howard for your kind words and to the sentiments from many, many colleagues who have spoken to me directly over the last couple of days. It has meant a lot to me.

Would any of you believe me if I told you I'm speechless?

*Laughter.*

**Ms Lankin:** OK. I won't try that one.

Let me begin by saying the most deeply felt thank you for the act of generosity yesterday of passing my private member's bill. It meant an incredible amount to me and it means a lot to many, many seniors and families who have contacted me and worked with me on this. I know that from my discussions with you as a group, many people believe in the bill and that the bill is the right thing to do. But I also know that the possibility of its receiving second and third reading while I'm still here as a sitting member of the Legislature was an act of generosity, and for that I thank all of you, my colleagues.

I want to say that the family we belong to, the group of members of provincial Parliament—by the way, I get to be a former parliamentarian now. I got the application form in the mail from Derwyn Shea yesterday.

The family that we belong to is a very special group of people. Of course, first and foremost for us in our direct day-to-day working relationships in this chamber is our experience with each other, and over the 11 years that I have been here I have formed many dear friendships across parties and I cherish those friendships. There are many people I've worked with who I respect tremendously for their contribution, for their commitment, for their dedication to serving the people of Ontario. Of course there are many times when we disagree with each other on how to go about serving that common good, but I do not doubt the commitment of all honourable members to that end. It has been an honour and a pleasure and a truly enriching experience to have shared this sense of family with you.

But of course in this place—my partner, my fiancé, often jokes when I refer to "this place" and he says, "It's the Legislature, it's the chamber," or something, but, as we refer to it, in this place, this very special place, there are many people the public don't often see who are part of our daily lives.

**1440**

I think that the men and women of tremendous energy and dedication who work on our political staffs and the caucuses of the three parties and in the MPPs' offices, many of them young and starting off their careers, others who give us wise and sage advice from their years of experience, are a tremendous value and a group of people, unsung heroes, who contribute to the life of this province in an amazing way.

I've met and worked with many of those folks from the Conservative caucus and from the Liberal caucus. Half of the political staff in the Liberal caucus live in my riding. I think there has been a one-by-one-by-one siege going on here. But I consider among them many friends as well.

Of course, the incredible group of men and women I have had the honour to work with in the New Democratic Party caucus staff, to all of them I give my thanks and my sincere best wishes and, I really want to say, an expres-

sion of gratitude from the people of Ontario, who don't often see the work that those people do. They have meant a tremendous amount to me, and I will miss them all.

I also had the honour, of course, in the few years that I was in government to work with some of the most amazing people who work in our ministries, the absolute best public service in the country, the Ontario public service, in the senior management, in the directors' levels and all throughout those ministries, wonderful public servants. I have continued joyously to maintain relations with many of them through the years that I've been in opposition, and I look forward to continuing that as I leave as well.

This building, the legislative services, the staff that you oversee, Speaker, are an amazing crew of people who are there to help us every day, whether they are in the library, whether they are the research department or the leg counsel that we work with, the Hansard reporting folks, many of whom I consider as dear friends. I can go on and on—the broadcast folks; the cleaners who come to our office. We all have such wonderful personal relations that we've developed over the years; the mailroom and messenger folks, from the cafeteria, the delivery room. I just think that there are so many wonderful people who, again, often don't have the opportunity to shine in a public light but who make this place work, and I thank them for the relationships I've had with them.

What to say about the committee clerks? I have also had the honour of being a committee Chair and have been propped up and helped through by committee clerks and the committee branch staff in many ways, and I pay tribute to them.

But then there are the table officers. My relationship with them has been special and unique, as I have continued over the years to try to find points of order that didn't exist and have had to listen to their counsel back to me of why it was a very interesting and potentially even brilliant point but just not correct. I have appreciated their counsel and the magic that they work. They are here as we come and go. I was thinking last night when I was watching the news and saw all the public schools, the elementary schools, with the kids leaving for summer and the teachers and principals who watch them go as they're graduating, it's kind of like our table officers. I don't want to take that analogy too far, because the parallels in this place are just too strikingly similar and I don't think that's the appropriate note for today, but you work your magic. You take those of us ordinary members and help us as we move into positions like the Speaker. You make us look good. My God, look what you did for Stockwell. These are magicians at this table.

It's a particularly wonderful relationship, of course, with the media in the gallery. It is a strange and interesting relationship we have, where we need each other and sometimes it's hard to find that common point of where we can work together. But I have truly appreciated the friendships that I have developed with the media and understand the nature of the work that you do.

I want to say for the staff who have worked the closest with me in my constituency office and at the Legislative

Assembly, a fine group of people who have helped me do what I can do to the best of my ability, without them I couldn't have done it. I have said thank you to them privately. On record, there are many of them over the years, some who have moved on—I won't go through by name—but the whole crew of them has just been the most solid and loyal and dedicated group of people that I could have ever worked with, and I will miss them. I will miss them greatly.

The people we serve in the province, and all the issues we work on, are the reason and the motivation for why we do what we do each day. But of course each of us has a particular relationship with those constituents from our own riding, and to the fine people of Beaches-East York I pay tribute for the community we have built, the incredible neighbourhood that we have developed, that we in our community enjoy living in. I will miss the honour of representing them. It has truly been an honour to have been elected and re-elected twice to serve as their representative. It is a special group of people who have a big place in my heart. Many of the organizations that I have worked there happen of course to be United Way agencies, so I guess our relationship will continue in many ways.

I go on to a new challenge. I believe profoundly that the work that many people do in the community is so important to the quality of life in this province. By saying that, I don't diminish the importance of the work we do in this chamber. To me, they are side by side in importance. The policy framework, the laws of the province, the direction of the government and how that interacts with the services we provide in the community—to the families, to the neighbourhoods—are of equal importance, and for me much of the work that has driven my passion and commitment over my years in the Legislative Assembly will be work that I will continue but at a community level.

Howard, I signed a non-partisan contract so it will be truly on a non-partisan basis. So any government of any political stripe, watch out, I'm coming after you with the power and the strength of an incredible organization, a meeting place where the corporate community and the labour movement and the community sector come together, where they create a common vision with common goals and a common set of beliefs about how our world can be better, and they set about doing it. They've given me the honour of leading them in that. It's an incredible honour for which I am grateful and very excited about the new challenge.

I will miss all of you. Godspeed to you all and all the best.

FRANK KLEES

**Hon Frank Klees (Minister without Portfolio):** Speaker, I just wanted to take an opportunity to thank you and members of the House for their expressions of sympathy and support over the last few days on the loss of my father. My father loved this place. He had the

highest regard and respect for it. I think one of the proudest moments in his life was the day I was elected to this Legislature. I think the next most important day in his life was when I was sworn into cabinet here. As an immigrant who brought his family to this country, to this province, he had a great love, not only for the country and for the province but for all those who have a leadership role in this province. I thank him for having had the courage and the vision to bring his family here. It's an honour to serve here in his memory. He personified courage and integrity. I thank members of the House for expressing their support to our family over the last few days.

1450

## ORAL QUESTIONS

### WALKERTON TRAGEDY

#### **Mr Dalton McGuinty (Leader of the Opposition):**

My question is for the Acting Premier, who I believe today is the Minister of Education. Ontarians have witnessed the sorry spectacle in recent days of government ministers appearing before the Walkerton inquiry. There are three words in particular that spring to mind when we consider their testimony there: indifference, recklessness and incompetence. Indifference in that the attitude was shockingly blasé, laissez-faire and ho-hum; recklessness because there was a wanton disregard for the health of Ontarians, notwithstanding that so many warnings had been sounded on so many fronts by so many people; but I think most worrisome was the genuine incompetence. There was a failure as ministers to meet the basic standard that I believe a minister should live up to, and that is, when somebody tells you that somebody might get hurt, that some Ontarians may be in danger, there's a responsibility to take charge and see it through so that nobody can be in danger.

My question to you, Madam Minister, very simply, is, how could it be that Ontarians today have, instead of a stalwart guardian of their health care and their well-being, ministers who are characterized by incompetence, recklessness and indifference?

**Hon Janet Ecker (Minister of Education, Government House Leader):** Mr Speaker, I refer this to the Minister of the Environment.

**Hon Elizabeth Witmer (Minister of the Environment):** I think it's extremely important that we await the recommendations of the inquiry. As the Leader of the Opposition knows full well, there is a very comprehensive review and investigation taking place. There are many documents that are being considered and there are many individuals who have appeared before the commission. I think it's extremely important that we not prejudge the outcome or those recommendations.

**Mr McGuinty:** I can tell you, Madam Minister, that Ontarians are drawing their conclusions on a daily basis

now and I think one of the things they are coming to understand is that nobody over there seems to realize just how serious an undertaking government is. It's more than fancy photo ops, it's more than lavish cocktail parties, it's more than formal wear and it's more than spin-doctoring.

The pillars of good government are leadership, responsibility, accountability and integrity, and clearly in this particular matter all four have been lacking. What we've had instead is indifference, recklessness and incompetence.

I put to you, Madam Minister, the same question that I put to the Acting Premier: how is it that Ontarians, when it comes to their government, instead of having somebody there who is going to act as a genuine guardian of their interests and above all their personal health, they've got a government that is characterized by indifference, recklessness and incompetence?

**Hon Mrs Witmer:** I would again remind the Leader of the Opposition that it is extremely important that we allow the inquiry to do the work it has been asked to do. In fact, it is we who have asked this inquiry to undertake this work. As I said before, there are many people who have appeared before the commission. There are thousands and thousands of documents that are being reviewed. I know we all look forward to receiving the recommendations and, until that time, I think it would be inappropriate for us to prejudge the outcome.

**Mr McGuinty:** This week Ontarians learned about Dr Richard Schabas and how he had taken great pains to bring home to this government in a meaningful way just how dangerous their actions were. We learned from the testimony of Norm Sterling and Brenda Elliott; both testified that they don't read important documents put in front of them. They admitted that they didn't think it was important to follow up on safety concerns that are raised with them. It was made clear that neither of them really and truly understood the importance of their ministerial responsibilities.

**Hon Brenda Elliott (Minister of Intergovernmental Affairs):** Mr Speaker, on a point of order.

**The Speaker (Hon Gary Carr):** Make it quick, though.

**Hon Mrs Elliott:** That is totally inaccurate and I would like—

**The Speaker:** That is not a point of order. Take your seat, please. Leader of the Opposition, continue, please.

**Mr McGuinty:** If only the minister would have been as definite in her answers and responses to the inquiry as she is trying to be here today.

This government had warnings from the Environmental Commissioner, the Provincial Auditor, the Minister of Health himself and Richard Schabas, the chief medical officer of health for Ontario. This government was warned time and time again. The fact of the matter is that Stan Koebel was foreseeable and predictable and this government should have had in place a fail-safe mechanism. They refused to act on the warnings that were put before them.

Again I ask you, how is it that instead of a stalwart guardian of their health care, Ontarians have a government that has been characterized by indifference, recklessness and incompetence?

**Hon Mrs Witmer:** It is very important that everyone respect the process that has been established.

*Interjections.*

**The Speaker:** Order. Do you want to have question period or not? I'm sure the opposition wants to ask some tough questions of the government. There won't be any question period. I'll stand up here, even if it's hot, for the entire hour that it takes and there'll be no question period, if that's what you want, if you're going to yell across. The same on the government benches.

Sorry for the interruption, Minister.

**Hon Mrs Witmer:** I find it curious: the opposition party wanted the inquiry; the inquiry is presently doing its work; it's doing its investigation; it's taking a look at the document; it's asking questions of witnesses. I would just encourage the Leader of the Opposition to respect the process we have established. Let's not prejudice the outcome.

#### HEALTH CARE FUNDING

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of Health. Mr Minister, with the words from the Premier that seniors should thank God that they live in the province of Ontario, we have learned today that you are proceeding to delist services which seniors rely on to a very great extent. We have learned now that Monday coming, July 1, you will be delisting hearing aid evaluation and re-evaluation. We also learn that you are delisting physiotherapy services.

These are two particular areas that our seniors rely on. The fact of the matter is that many people suffer from hearing loss when they get on in their years. When seniors have a hip operation, for example, or if they suffer from a stroke, they're going to need physiotherapy services.

Can you tell me why seniors should continue to thank God that they live in Ontario if day after day this government continues to attack them by making them pay for services they should be able to count on?

**Hon Tony Clement (Minister of Health and Long-Term Care):** The honourable member, the Leader of the Opposition, continues in his campaign to scare seniors with inaccurate information and, in doing so, does a disservice to his job.

**The Speaker (Hon Gary Carr):** You can't say "inaccurate information." We're not going to start with that today. I'd ask you to withdraw it.

*Interjection.*

**The Speaker:** Order. I'll make the decisions, I say to the Solicitor General. Withdraw it, please. We're not going to start as we did yesterday. One side got very close to the edge, and then you answered the same way. We're not going to start today with that type of language.

**Hon Mr Clement:** I withdraw, Speaker.

**The Speaker:** Thank you. Continue your answer.

**Hon Mr Clement:** The Leader of the Opposition is engaging in wild speculation which only, I think in a mendacious way, seeks to scare people in this province.

The honourable member should know that on these services—let me just talk about the therapeutic services he mentioned—the decision is that they not be rendered by a physician but that they continue to be available in hospital outpatient clinics and OHIP physiotherapy facilities and in other clinics.

That is the full information for this House. His conclusions are just plain wrong.

**Mr McGuinty:** You should get hold of your own bulletins. Maybe ministers over there don't read documentation, as we've learned recently. But on June 22 you put out a bulletin saying, "The following changes are being implemented July 1, 2001, as part of the ministry's" effort "to achieve a \$50-million annual savings." Through your own fact sheet, it says, "What is changing? Hearing aid evaluation and re-evaluation will no longer be insured by OHIP...." It also says, "Physical therapy and therapeutic exercise will no longer be covered" by OHIP. Those are your documents.

You tell us that these services are going to be found in the hospital setting and in the OHIP physio clinics. Can you then tell us that all the money you're going to be saving by this delisting will now be transferred to the hospital setting and the OHIP clinic so that in fact they will be able now to pick up the slack that you are creating as a result of the delisting in services?

**Hon Mr Clement:** Again, let me give this House the whole picture. The whole picture is that this is pursuant to the agreement with the Ontario Medical Association of what is and what is not a listed service. That does not mean there are not other avenues by which citizens of this province can gain access to OHIP as a result of other policies and procedures.

If the honourable member is wondering whether the \$50 million saved is going to be spent in health care, oh, I can assure the honourable member that that \$50 million is going to be spent in health care, because this government has increased the health care budget this year by \$1.2 billion without any help from his federal henchperson friends.

1500

**Mr McGuinty:** So what you're telling us, Mr Minister, is that seniors who could have gone to their family doctor—it's already tough enough for a senior to leave the house and go to see the family doctor. You are saying, "No, you can't get your hearing tested there any more, and you can't go through physio in your doctor's office any more; you've got to go to the hospital." Hospitals are telling us they're \$750 million short this year. I phoned the Ottawa Hospital, through my office, before I came in here and they told us, "If you want to join the physio list in Ottawa, it'll take six months."

What you're really telling seniors is, "If you want quick and effective service, there is a third avenue and that is to go private." That's what this is all about, Minis-

ter. What you're doing is telling our seniors once more that when it comes to their health care, your \$2.2-billion corporate tax cut is of greater concern, that it's a more important motivator for you than looking out for the health care needs of our parents and grandparents. Why don't you stand up and admit that?

**Hon Mr Clement:** The honourable member is being mendacious yet again. Let's put the facts on the table when it comes to supporting seniors in this province: a 72% increase for community health services, an additional 1,216 products added to the Ontario Drug Benefit Formulary since 1995, and spending in ODB has risen by 70% since 1995. In 1997 the federal Liberals promised a national drug benefit program. Where is that program? What has been delivered? Nothing, nada, zilch, bupkus. That is the record he seeks to defend. That is a record he should be embarrassed about. On this side of the House, we have the facts that speak for our side and we are proud of that.

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** On a point of order, Mr Speaker: I won't take long but I noted the minister's answer. According to the Concise Oxford Dictionary, the word "mendacious" is described as "lying, untruthful."

**The Speaker:** Is it the same point of order? Stop the clock. Quickly, please.

**Hon Mr Clement:** On a point of order, Mr Speaker: the word "mendacious" indicates by its definition that it is not a purposeful act. Lying is a purposeful act, so I encourage the honourable member—

**The Speaker:** The members are very helpful, but—  
*Interjections.*

**The Speaker:** I thank all the members for their participation. I'm receiving notes about it. All I would say is that the table is going to listen very carefully. We're at the last day of the last session. It's very warm in here. There is no need to start using language that is imputing any motive on any side. We'll be listening carefully on both sides for that.

I would ask all members to please consider the language they're using. You can ask tough questions without going over the line, and as you know, yesterday what happened was we got very close to the line. I let it go a little bit and then this side began to pick up on it, and that's what happens. Quite frankly, as is the case usually with you folks, we can't let you get close to the line. I'm going to jump up very quickly. I would ask you all to consider the language you're using.

Minister of Health, I believe you still have the floor.

**Hon Mr Clement:** I yield the floor.

#### WALKERTON TRAGEDY

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Acting Premier. People across Ontario are reeling from the testimony this week at the Walkerton inquiry, because earlier this week they saw a former Minister of the Environment presented with documents that should have warned people across this province

about the threat to public health, about the risks with their drinking water, yet none of those warnings were ever communicated by your government. At the same time, people remember that your government consistently—day in, day out—had the time to communicate a message about tax cuts. Can you tell me, Acting Premier, how it is that your government never, ever found the time to communicate any of those warnings about the risk to drinking water, the risk to public health, but you communicated consistently a message about tax cuts?

**Hon Janet Ecker (Minister of Education, Government House Leader):** I'd like to refer the question to the Minister of the Environment.

**Hon Elizabeth Witmer (Minister of the Environment):** To the leader of the third party, I think I would again just hasten to add that there is a process that has been put in place. It is a process that all of us agreed to and I think it would be inappropriate for us to preclude or determine what the outcome might be. It was certainly a very tragic situation, and I think it's very important that we await the recommendations that will be coming out of Walkerton later this year.

**Mr Hampton:** I'm not asking the Acting Premier to comment on the Walkerton inquiry. That testimony is now on the record. The testimony of your colleague sitting beside you, Mr Sterling, is on the record. He acknowledges that a letter was sent from the then-Minister of Health to him as Minister of the Environment indicating that there was a serious problem in terms of the testing of drinking water.

My question to you is, if you look at the trail of documents, it's very clear that members of your cabinet received warning after warning after warning about the risks to public health, about the risks to people's drinking water, yet as a government you never once issued those warnings or found time to tell the public. At the same time, your government had the time and took the opportunity to repeatedly send a message about tax cuts, tax cuts, tax cuts.

So I'm asking you, how is it that you couldn't be bothered or you couldn't find the time to tell the public about the risk to public health, the risk to drinking water, yet you found all the time in the world to tell them about tax cuts?

**Hon Mrs Witmer:** I'm having a little trouble understanding, because I think this is related to the inquiry. I believe the information that he is, I guess, referring to is information that has been filed with the inquiry. It's part of the documentation; it's part of the information. Again, I would simply say to the leader of the third party, let us respect the process that has been set up. All of the information that is being put forward is being very, very carefully considered, and I know we all look forward to the recommendations that will eventually come from Walkerton to address these issues.

**Mr Hampton:** Again, Minister, I'm not asking you about your testimony. I'm not asking you to pass judgment on what someone said at the inquiry. What people have said at the inquiry is now on the public record. We

know it is on the public record that the chief medical officer of health felt so strongly that he flew back from Montreal to attend a cabinet meeting to warn the cabinet and the Premier that there were significant risks to public health because of your agenda of cutting resources. It's on the public record that the Premier turned away from him, as if not to be interested.

We saw the Premier here two days ago deliver a speech where, again, the major emphasis of that speech wasn't about how people died at Walkerton; it was about more tax cuts. I'm just asking you, as a government, how is it that you found the time to repeat this message of tax cuts, tax cuts, tax cuts over and over again, but on this message that there might be a risk to public health, there might be a risk to people's drinking water, you could never be bothered to even warn the public for one second?

**Hon Mrs Witmer:** I still think this relates to the inquiry and I think the information that the leader of the third party speaks to is information that has been made public as a result of either the testimony of witnesses or the information that has been collected. As I said before, there are thousands and thousands of documents, and I think it is not up to us to be the judge and jury. We've put a process in place. It's up to the commission to ensure that they very carefully consider all of the information, and it will be the recommendations that we will look forward to.

**The Speaker (Hon Gary Carr):** New question.

1510

**Ms Marilyn Churley (Toronto-Danforth):** My question is for the Acting Premier. I was in Walkerton for the past few days listening to your ministers claim collective ignorance and amnesia and defending your cuts. I was also listening to Walkerton citizens. I heard from the friend of the mother who lost her two-year-old child because she drank the water. I heard from people who had loved ones in Walkerton die because of your oversights and your negligence. I heard about children who will never be healthy again.

Minister, listen carefully, because this is what they told me they want you to say: they want to know why you just can't admit that you hold some responsibility here for what happened, and they want you to say you're sorry. The legal liability is over now. It's time to show a sense of humanity. Why can't you admit that you hold responsibility here and simply say you're sorry?

**Hon Mrs Ecker:** To the Minister of the Environment.

**Hon Mrs Witmer:** In response to the question from the member, I want the member to know that I too have been to Walkerton and I too have been to London, last year, to visit the children and the families who had been impacted by the tragedy in Walkerton. A couple of weeks ago I was in Walkerton when there was the unveiling of the water gardens. I think we all have a tremendous amount of concern and we have a compassion for the people of Walkerton and what the people of Walkerton have undergone.

I think it's for that reason that it's very, very important that we respect the process that we in this House believed was necessary and that we not politicize and we not prejudge, that we await the outcome.

**Ms Churley:** Everything is on the public record now, and the people in Walkerton know what happened and know what you did. May I say to you that although the inquiry hasn't ruled yet, Stan Koebel admitted his mistake and said he was sorry. He didn't choose to wait until the end of the inquiry.

The people of Walkerton want to hear the truth from you. They want you to stop the spin that your ministers were spinning there and you're spinning here today. They want you to admit that at least you made mistakes. I'm using their words here. You ignored warnings; you neglected to read briefing notes; you pretend not to have read warning letters from fellow ministers marked "Urgent." Admitting that you made mistakes with your cuts and closing the labs is a first step in convincing people you won't do it again. It's the least you can do right now. Own up to your responsibilities. Why can't you admit that today, Minister, and say you're sorry to the people of Walkerton?

**Hon Mrs Witmer:** When I was in Walkerton, I heard from the people too. I know everyone recognizes that there is a process that has been established and that there will be a conclusion. I think it's particularly important as we move closer and closer to that conclusion that we continue to respect the process that has been established, that we continue to allow those who have been given the responsibility to draft the recommendations to do so. I think it's important for us not to prejudice the outcome of what those recommendations may or may not be.

#### USER FEES

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of Health. Minister, seniors have contacted our office—in fact, the Canadian Association of Retired Persons—and they are telling us that you will soon be doubling the user fees on seniors' drugs. They believe the announcement will be coming as soon as tomorrow.

You will know that seniors cannot afford this continuing attack on their health care, and you may know that one half of our seniors today in Ontario average about \$16,000 in terms of their annual income. Will you guarantee us today that you are not planning to increase user fees to seniors for their medicine and that you will do nothing to further limit in any way our parents' and grandparents' access to prescription medication?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I don't know what the honourable member is talking about, quite honestly. I can tell you that in terms of drug spending in this province, under the previous Liberal government it was \$647.2 million spent on drugs, and that in this fiscal year the Mike Harris government is spending \$1.8 billion on Ontario drug benefit and Trillium drugs.

In terms of home care, the Liberals in their last year of government spent \$305 million on home care. This year the Mike Harris PCs have spent \$1.1 billion on home care. Actions obviously speak louder than words. People can judge those actions. In terms of the specifics of what the honourable member said, I don't what he's talking about.

**Mr McGuinty:** Minister, it was a very straightforward and direct question. All you had to answer was yes or no. Seniors, specifically the Canadian Association of Retired Persons, have contacted our office. They are concerned that you're going to double user fees on seniors' drugs. We know you've been looking at income testing for seniors. We learned today that you're going to force seniors to pay out of their pockets for physiotherapy and hearing tests.

But let's be very specific so that you have an opportunity to put seniors' minds on Ontario at ease: will you or will you not be doing anything that will increase the cost to seniors of their drugs?

**Hon Mr Clement:** No.

#### IMMIGRATION AND REFUGEE POLICY

**Mr Carl DeFaria (Mississauga East):** My question is to the Minister of Intergovernmental Affairs. More and more Canadians are becoming alarmed at the federal Liberals' reckless immigration and refugee policies. The refugee determination process set up by the federal Liberals takes too long, is broken down and simply doesn't work. Many such refugee claimants are not allowed to work in Canada and wind up on welfare. The problem is that the federal government does not pay for the welfare and other social benefits. Between 1990 and 2000, the region of Peel has provided more than \$10 million in social assistance to refugee claimants. Could you tell us, Minister, what action is being taken by our government to ensure the federal Liberals pay up what they owe to our municipalities, and in particular to my municipality, the region of Peel?

**Hon Brenda Elliott (Minister of Intergovernmental Affairs):** I thank my colleague for the question. Ontario is recognized worldwide as a vital, growing part of Canada, and we're absolutely delighted that each year 100,000 immigrants choose our province to come to, to build this province.

As my colleague correctly noted, there are some challenges with regard to immigration. Yesterday I spoke to the federal Minister of Immigration, Elinor Caplan, to discuss these problems, problems like family sponsorship defaults, which cost Ontario \$100 million a year in social assistance. There are 16,000 immigrants now on social assistance. These are sincere and deep problems for Ontario. We discussed the fact that the new federal Immigration Act has just been passed, and that there are possible regulations that could address these problems. I'm pleased to report to my colleagues here in this House that it was a productive discussion. I anticipate further discussions to find solutions.

**Mr DeFaria:** As a follow-up, Minister, if the greater Toronto area currently receives nearly half of all the immigrants and refugees coming to Canada, why then does Ottawa spend more than \$3,000 for each immigrant arriving in Quebec and only \$800 for an immigrant settling in Ontario? Why is the federal Liberal government discriminating against Ontario and against the taxpayers of Ontario?

**Hon Mrs Elliott:** Thank you, colleague. Let's be clear: the federal government establishes who and how many immigrants and refugees come to Canada. It's our government's view that the federal government must pay for the associated costs. Currently Ontario is not receiving its fair share for immigrant settlement services. In Ontario, which receives 60% of the immigrants, 45% of the federal funding is received—only 45%. There are great imbalances, and my colleague is right in noting that Quebec receives 14% of the immigrants and 33% of federal funds. We will continue to welcome immigrants, who are needed and wanted in this province. But we ask the federal government to treat Ontario fairly through proper financial support and through the respective regulations in their new immigration bill.

1520

#### EDUCATION FUNDING

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Minister of Education. I want to take up the matter with you of the cry for help effectively sent out by my school board, the Ottawa-Carleton District School Board. The board sent you a letter on June 27, just yesterday, and they have asked you essentially for help. They're saying that the fiscal box you have put them in is so tight they simply cannot carry out their ethical and moral responsibility to deliver quality education to all our children, including those with special education needs and English-as-a-second-language needs, and at the same time balance their budget.

They are asking you, Madam Minister, for help. What did you do? You sent them a letter of response and accused them of doing "nothing more than political posturing." This is not about political posturing. What you're doing is trivializing the plight of 80,000 students in the community of Ottawa. What are you going to do to help those 80,000 students and those trustees and the director who have taken on the responsibility of trying to do the best they can for our kids?

**Hon Janet Ecker (Minister of Education, Government House Leader):** I appreciate that the Ottawa board, as all school boards are doing now, is in the process of setting their budget. That is a very difficult process, to live within our means, to set important priorities. That's one of the reasons we increased education funding. The public education system received over \$360 million, new dollars, money that is very important for them to meet the needs. The Ottawa board itself is projected to increase by over \$6 million. That is an increase above their student enrolment. As a matter of fact, their enrolment has in-

creased only very minimally. We are funding them above that enrolment increase because it is a very important priority.

As I've certainly said in the letter and as our staff have said to them many times, our staff are there to assist and provide advice wherever we can. We're quite prepared to do that. But at the end of the day it continues to be a school board obligation to set an appropriate budget.

**Mr McGuinty:** What they need is a partner. They need somebody who believes in public education. They need somebody who is going to provide the necessary funding to support public education. In his letter, the chair of the board, Jim Libbey, says that the money you've given them this year "does not come close to covering our increased costs due to enrolment growth and inflation." They're trying to be fiscally responsible. They had \$20 million in reserves. They say that despite liquidating their reserves this year, they will not be able to meet the needs of many of their students.

Madam Minister, it's time for you to make an important decision. Are you a partner in public education or are you not? If you are a partner in public education, if you support public education, then why won't you support the public board in their cry for help?

**Hon Mrs Ecker:** School boards remain important partners for this government in the delivery of education. As a matter of fact, it's based on school board advice that we increased funding over \$360 million this year, an increase above enrolment. I know the opposition likes to ignore that.

Secondly, we gave it to them without some of the normal rules around how they use that money, because school boards told us they needed that flexibility. Thirdly, we improved in a number of areas every year. We are meeting the commitments I made to school boards that every year we would improve and enhance areas in funding. This year there are 10 schools boards that are receiving remote and rural funding to recognize their unique needs, so for 10 more boards we made it more generous. Also, for new pupil places, for new schools, for upgrading, again more boards received more money.

We have worked with our school boards. We are prepared to continue to do that because the public education system in this province is extremely important.

### WOMEN'S SHELTERS

**Mr John O'Toole (Durham):** My question is to the Minister of Community and Social Services. As you know, for the past six years I have been working with Bethesda House women's hostel to try and resolve problems they have encountered with their annualized funding. As you know, Bethesda House is classified as a hostel and is funded as such: 80% by the province and 20% by the region. It provides many services, however, of a violence-against-women shelter. For that reason, they have been experiencing financial difficulties over the years in offering these services for women and children in need.

This volunteer board and members and staff at Bethesda House want their facility to be classified as an emergency violence-against-women shelter.

Minister, can you detail for my constituents and for the House today why Bethesda House has not been able to qualify to date as a women's shelter despite the shelter-style services they continue to provide under some stress for funding.

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** I want to acknowledge the work and efforts the member for Durham has undertaken on behalf of Bethesda House. They obviously do a good job in providing services and support to victims fleeing domestic violence. As the member said, they are funded as an emergency shelter, a hostel, which is funded 80% by the province and 20% by the municipality.

I think the member makes a good point that they're not able to provide the full range of services as a domestic violence shelter, and that the funding is inadequate and it's not core-based funding, and rather than being funded as a homeless shelter, perhaps they should be funded as a shelter for victims of violence, where they could offer a more comprehensive set of services.

In the recent budget we announced a substantial investment to try to begin to address these challenges, both with respect to building new spaces, and to ensuring that we can do a better job with respect to providing support to residents, like Bethesda House and its constituency.

**Mr O'Toole:** Thank you, Minister, for that informed response. I appreciate the time you've taken to consider this file and indeed to meet with members of the board. It's important to my constituents and important to the riding and indeed to the families that it serves.

As an emergency hostel Bethesda House receives, as you've mentioned, 80% of its funding from the province—and I want to clarify that—as well as 20% from the region.

Minister, there are concerns of how Bethesda House will cope with its financial needs when the three-year, \$204,000 Ontario Trillium fund grant expires in 2002. When will Bethesda House receive the stable funding it needs in order to continue to keep its operations running and to provide its service and keep its doors for women and children in need, not just in Durham but in my whole riding of Durham and Durham region itself?

**Hon Mr Baird:** The member for Durham has certainly made this issue a big priority. I think we've talked on it 10 or 11 times in the last year. I certainly recognize the need to expand the services, particularly in a community like Durham, which has seen a huge increase in population over the last 10 years and there haven't been a whole lot of new beds, and increasing the capacity of these supports, which is obviously tremendously important.

In the budget presented by the Minister of Finance last month there was funding going to \$9 million in annual operating funding to help build 300 new beds. In addi-

tion, there was money to help refurbish some existing beds.

I'm certainly very happy to commit to the honourable member in the next month or two to be able to look at the case of Bethesda House and others like it in various parts of the province and look at what we can do to provide important services to women and their children fleeing domestic violence.

This year we'll spend a substantial amount on services for victims of domestic violence. In addition, over the \$135 million we've already dedicated, we're spending a considerable amount more this year—\$10 million in new funding last year; \$26 million in capital over the next five years; and soon we'll be spending an additional \$9 million per year in helping to support victims of domestic violence.

**The Speaker (Hon Gary Carr):** Could we stop the clock for a moment, please? Point of order. The Minister of Labour?

**Hon Chris Stockwell (Minister of Labour):** On a point of order, Mr Speaker: I was wondering, on Bill 66, Wilfrid Laurier University, if we could get unanimous consent for second and third reading immediately?

**The Speaker:** Is there unanimous consent? No. I heard some noes.

## POVERTY

**Mr Tony Martin (Sault Ste Marie):** My question is for the Minister of Community and Social Services. I have been in 10 communities over the last six months hearing from people living in poverty under your government. There are thousands of people struggling in poverty in Ontario today, and that struggle is very personal. They want to know if you understand. They want to know, Minister, if you have any idea about what it's like to struggle in poverty.

For example, have you ever had to tell a child on pizza day that you have no money and that perhaps it would be better if they didn't go to school? Or have you ever had to make the choice between feeding yourself or feeding your children? Have you ever experienced this kind of personal struggle, Minister?

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** We have made trying to address the plight of those people who often, through no fault of their own, lack employment, lack economic resources to be able to provide for themselves and their families—I think the state of poverty in this province six years ago left a lot to be desired for it. We needed a government that would make job creation and economic growth a significant priority. The single thing we can do that will have the most powerful impact for a child living in poverty is to be able to help their parent get a job, a full-time job where they can provide for themselves and their family.

I think this government can take great pride in the renewed economic growth we've seen in the province.

More than 800,000 net new jobs have been created. More than a quarter of a million children have left the welfare rolls. We acknowledge that we've come a long way and that one child living in poverty is one too many, that we've got considerably more work to do. What is needed is a government that will continue to make job creation and economic growth and take-home pay a priority. That's our commitment: to try to ensure that more people can take advantage of a growing economy and more people can realize the dignity that comes with a job and the pride that comes with independence.

1530

**Mr Martin:** Minister, you obviously cannot relate, you obviously don't understand, so let me try another couple of scenarios.

Do you know what it's like to suffer from mental illness and on top of that to have the money you need to survive taken away from you? Do you know what it's like to leave an abusive relationship, free at last, only to end up shackled by the chains of poverty? I don't think you know what it's like. But let me tell you, it's horrible and it's happening in your own backyard. People living in your own riding came to talk to us just last week. Do you know what they said? They said they were on the verge of suicide because they just can't cope with your destructive policies.

How can you continue to pursue policies that drive people to the verge of suicide and still look at yourself in the mirror every day?

**Hon Mr Baird:** I regret that the member opposite takes a tone like that. I think we all want to ensure that people's lives are enriched; we all want to make sure that people can prevail to provide for themselves and their families.

I think we can do more to address poverty. I think we can do more, that despite more than 800,000 net new jobs created, more can be done. I do reject the notion of the member opposite that only he and his party recognize the plight of the poor, that only he and his party care. I know that under his party a record number of children lived in poverty. Thank goodness a government was elected in 1995 to help address that underlying problem of job creation, of economic growth, of trying to provide an increase in take-home pay. Thank God we have a government of Ontario that's providing a helpful hand up to help more people break free of a cycle of welfare dependency. More than a quarter of a million children have broken free of welfare dependency in the last six years. But more work remains to be done. We are going to continue to make economic growth and job creation a big priority in this province.

## WALKERTON TRAGEDY

**Mr James J. Bradley (St Catharines):** I have a question for the Minister of Energy, Science and Technology. Minister, could you tell the House and the people of Ontario today how you feel about the Premier ignoring your warnings about the dangers to public health of the

policies that you and Dr Schabas brought to his attention? Could you tell us that, sir?

**The Speaker (Hon Gary Carr):** Order. Stop the clock. I'm sorry. You have to ask a question relating to his portfolio.

**Mr Bradley:** I'm going to the Acting Premier, then, with this question.

The only person, Acting Premier, who comes out of the Walkerton situation with any integrity, I suppose you could say, is the present Minister of Energy, Science and Technology, who wrote a letter to the Minister of the Environment and who brought Dr Schabas into the cabinet room and had him warn about the dangers to public health of government policies.

Acting Premier, could you tell us how it is that the Premier and the policies and priorities board of cabinet could possibly have ignored such a clear warning as was presented by Mr Wilson to the Minister of the Environment and to the cabinet, and how possibly the Premier could have ignored both Dr Schabas and Jim Wilson when they warned him about the dangers to the public of Ontario presented by the policies of the Harris government as it relates to the downloading of public health?

**Hon Janet Ecker (Minister of Education, Government House Leader):** I'd like to refer this question to the Minister of the Environment.

**Hon Elizabeth Witmer (Minister of the Environment):** The information that has just been provided is part of the documentation that has been presented to the Walkerton inquiry, and it also refers to testimony that has been heard. Again, it is important that we await the outcome of the inquiry's recommendations.

**Mr Bradley:** I'll try the Acting Premier again. We have documentation which has been produced by the Walkerton inquiry. I would call it a missile sent to the Minister of the Environment by the present Minister of Energy when he was Minister of Health saying that there were great dangers because there was no mechanism for telling the medical officer of health when there was a serious problem with the water. The same minister also brought Dr Schabas to the cabinet on three different occasions to warn of the dangers of the downloading of public health on to municipalities—brought Dr Schabas into the cabinet room where the Premier turned his back on him and turned his back on public health. Can you tell us how it is that a fine public servant like Jim Wilson and a fine public servant like Dr Richard Schabas, with such salient and excellent advice, could be ignored by the Premier and members of the cabinet?

**Hon Mrs Witmer:** Again, the information that is being recounted by the member opposite is information that has been presented to the inquiry in Walkerton and it also relates to documents that have been presented to the inquiry. Let's all continue to respect the process that we agreed to and let's make sure that we await the outcome and the final recommendations.

## CLEANUP OF PUBLIC LANDS

**Ms Marilyn Mushinski (Scarborough Centre):** My question is to the fine Minister of Energy, Science and Technology. Minister, in my riding of Scarborough Centre there are power corridors, specifically hydro-electric power. These corridors are often right next door to residential communities. For some time, many of my constituents have had to look at a horrible mess of garbage on a certain piece of land under some wires that are owned by Hydro One. Minister, knowing that you are such a fine minister, I wonder if you can tell this House what you have done to resolve this issue.

**Hon Jim Wilson (Minister of Energy, Science and Technology):** I want to thank the member for Scarborough Centre for the question and for her advocacy on behalf of her constituents. She's a tremendous member of provincial Parliament and she did in this case exactly what good members of provincial Parliament should do; that is, she brought the matter of this messy pile of garbage under Hydro One electric lines to my attention. I brought it to the attention of the company and they did clean up the garbage. It's unfortunate, though, that some unscrupulous people in this province dumped a very large amount of garbage over a long period of time on what essentially is land that's owned by a public corporation, Hydro One, the successor wires company to Ontario Hydro.

I want to congratulate the honourable member and assure her that we've also erected barriers on the site to try and prevent these polluters from polluting public lands.

**Ms Mushinski:** I'd like to thank the fine minister for such a comprehensive response and finally responding to a plea for help from some of my constituents, and also of course for coming clean.

Minister, I want you to tell this House please how you can assure my residents of Scarborough Centre, indeed all of the residents who live adjacent to hydro towers, that this won't happen again?

**Hon Mr Wilson:** Again, I invite colleagues in the House to let me know if there are lands that are being polluted that are owned by Hydro One. In many cases, though, we find that Hydro One doesn't actually own the land—well, they own the land but it has been leased to other companies or other users of the land. We just have the wires and the towers on top of the land. We are cracking down on the tenants. Sparked by Ms Mushinski's inquiry, we started to check the inventory across the province and in some cases it's tenants themselves who are leaving the lands in an unsightly condition.

I want to know about that. More importantly, Hydro One would like to know about that. They've assured me and assured the honourable member that, because of her good advocacy, they will work hard in the future when they hear about these problems to clean up and then to go after, in a lawful way, those who are unlawfully polluting public lands.

## LONG-TERM CARE

**Mr Dave Levac (Brant):** My question is for the Minister of Health and Long-Term Care. Before you became the minister of this portfolio, I had worked with your predecessor on a very important and special project in my riding of Brant. Some 10 months later we're still working on it. With new standards for long-term care, 205 beds at the municipally run John Noble Home, the long-term-care facility there, were ruled substandard.

When your government closed St Joseph's Hospital, we made lemonade out of lemons, because this project is unanimously supported by Brantford city council, the county of Brant council, St Joseph's Hospital, the Sisters of St Joseph, McMaster University and the John Noble Home board. They're going to transfer the 205 beds to the old site of St Joseph's Hospital. The only thing stopping this project right now, Minister, is your signature on the release of the negotiated funds that are required to continue the rest of the funding that's already in place. Will you tell us today where we are and why we're still waiting for this?

**Hon Tony Clement (Minister of Health and Long-Term Care):** I thank the honourable member for the question. Indeed, as he and I know, we are working on sorting out some of the final details of that. As the honourable member is aware, there is a legal issue about the continuity of the foundation that is attached to St Joseph's Hospital to ensure that it can still be a recipient for any fundraising funds. I remain optimistic that we can settle these outstanding legal issues and proceed with the project.

**Mr Levac:** Minister, as you are aware, the decommissioning of the hospital will actually end the foundation's existence, so I'm urging you and pleading with you to expedite that so the project can happen. This is a project that the entire community wants to happen. As you know, inside this project is a very new and novel idea to create on-site research, a daycare centre and all the amenities, including doctor facilities, and one very special project our community voted 100% in favour of, the hospice. As you know, not one dime of government money goes into that project.

Can you tell us today that you will meet with the foundation, which is now called the St Joseph Life Care Centre of Brantford, to discuss with them the possibility of the government participating in the hospice in our community in terms of financial support?

**Hon Mr Clement:** Let me commend the citizens and participants in the community who have been working very hard on this project or series of projects. I can tell the honourable member, as I said, that I remain optimistic we can remove all the remaining legal impediments. Certainly, from our perspective, more long-term-care facilities in the catchment area are required, as well as the health care that is needed for that community. I remain committed to working with him, and through him as well,

and directly with all the participants to reach a satisfactory conclusion in the most expeditious way possible.

ONTARIO-NEW YORK  
ECONOMIC SUMMIT

**Mr Bart Maves (Niagara Falls):** My question is for the Minister of Economic Development and Trade. Last week I asked you about the Building on Partnerships summit that was about to take place in my riding of Niagara Falls and in Buffalo, New York. You said the objective of the summit was to build on existing ties between the two communities to create jobs and income for families on both sides of the border. I was quite pleased to be part of the summit myself. In fact, it was a very enlightening session on biotechnology, information technology and telecommunications, which I had the pleasure to chair with my co-chair, Dr Bruce Holm from the university at Buffalo.

Now that the summit has come to an end, could you please update the House on the outcome of the summit and fill us in on some of the successful agreements that were reached?

**Hon Robert W. Runciman (Minister of Economic Development and Trade):** I want to thank the member from Niagara Falls, Mr Maves, for the question, and also congratulate him on losing 12 pounds in 24 days. Well done.

I'm pleased to report that the first Ontario-New York summit was a huge success. Over 500 delegates from both sides of the border met to discuss ways to increase investment and opportunity between the two areas. At the conclusion of the summit, our Premier and Governor Pataki signed a memorandum of understanding. That memorandum encourages consultation on transportation, business, tourism and technology issues. Both communities are eager to get on with this process, and we're looking forward to creating more opportunities for Ontarians and New York state residents.

**Mr Maves:** I thank the minister for his answer and I also thank him for noticing. However, I have to confess that the 12½ pounds I lost was part of a competition, and even though I lost 12½ pounds in 26 days, I lost that competition to Guy Giorno, a friend of mine who happens to work in one of the ministers' offices. Guy lost 26 pounds, which was too much weight to lose in 26 days, but he did. However, I digress.

Minister, I saw first hand that the summit was a great success, and this is great news. Here in Ontario there were several media reports on transportation and tourism discussions that came out of the summit. Now that the summit is over, what are the next steps that you and others will be taking to follow up on the recommendations that came out of those two days?

**Hon Mr Runciman:** That was a heck of a question, more like an ad for Weight Watchers.

One of the most exciting things to come out of the conference was the launch of the Niagara Bi-National Region Economic Roundtable. The roundtable is going to

be chaired by John Mayberry, who is the president of Dofasco in Hamilton, and Robert Rich Jr, president of Rich Products in Buffalo. It will help the private sector, Niagara and Halton regions, the city of Hamilton and several New York counties to develop an economic vision and action plan for their area.

The summit also established an education partnership fund and a southern Ontario/western New York tourism steering committee. My colleague Charles Gargano, who is the chairman of the Empire State Development Corp, and I will be tabling a report on the summit's findings later this summer. The report will highlight the key findings and identify areas where we can focus our future efforts.

### AIR QUALITY

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Energy. Minister, as people across southern Ontario experience some of the worst and most prolonged dirty air in our history, your response is to promote an emissions trading scheme that even the George Bush administration in the United States can't support.

This is a letter from the Bush administration where they say on page 2, "We are concerned that emissions will increase under the program," and then later that the program is "fairly complicated, potentially difficult to implement and burdensome to administer."

Minister, since George Bush, no friend of the environment, can't support your emissions trading strategy, why don't you put together something that does take smog seriously?

**Hon Jim Wilson (Minister of Energy, Science and Technology):** I thank the honourable member sincerely for the question to help clear the air on this issue, literally. The fact of the matter is, emissions trading is something that is encouraged under the Kyoto agreement. All nations that are signatories to that agreement are exploring similar opportunities to try and encourage industry to pollute less, and to do it in an economical way, a way that makes sense to business and is good for the environment.

The reason there's a story in the media is because the government is proactive and very serious about this issue and we've asked the Environmental Protection Agency in the United States for their opinion on the emissions trading scheme that we are working on in this province. They provided some initial response.

We'll continue—obviously the lead is the Minister of the Environment—to fine-tune this program and make sure we get our emissions down in the electricity sector and in every other sector. By the way, the electricity sector is one of the smallest contributors to smog in this province. It just happens to be one of the more visible plants and gets all the blame, but 63% of the smog and pollution comes from people who are driving their cars. I don't hear the honourable member talking much about that.

**Mr Hampton:** Minister, you're the government that agrees with almost everything George Bush says. When he says he wants our electricity, you're only too happy to open up the market. Now they're trying to provide you with some environmental advice about what not to do, and suddenly you don't want to listen. It's significant. It's a two-page letter where they tell you over and over again that your emissions trading strategy is not going to reduce smog, and that it's going to be burdensome and difficult to implement.

I'm simply asking you, why won't you listen to them? Why won't you get serious about smog and do something like converting Nanticoke from coal to natural gas? Follow the advice they're trying to give you. You follow it all the other times.

1550

**Hon Mr Wilson:** Obviously the premise of the question from the leader of the third party is once again ridiculous. He knows, on Nanticoke, that we're spending an unprecedented \$300 million this year to increase our environmental protection measures at that plant. The Minister of the Environment, because of her tough advocacy on this portfolio, has already announced that we'll be converting Lakeview to gas.

There are five coal plants in Ontario. There are 205 American coal plants in our air shed. Our air goes south; their air comes north. It's been that way since God created this good earth. The fact of the matter is, emissions trading I think is going to help us actually convince the Americans to stop polluting Toronto, with 205 coal plants all firing across the lakes at us.

So we're taking action where the Liberals and the NDP failed to do anything. We'll spend close to \$1 billion this year on environmental controls at all of our plants. That's on top of the \$2 billion we spent in the last five years. The fact of the matter is, they used to be the green party over there. They were there for five years and they didn't do a darned thing about the coal plants and about the smog problems in this province.

### PETITIONS

#### HYDRO ONE EQUIPMENT

**Mr Dave Levac (Brant):** This is a petition to the Legislative Assembly of Ontario. It's actually three, but in the summer recess, I'll put all three together.

"Whereas the government of Ontario has direct responsibility for Hydro One and the equipment owned and operated by Hydro One;

"Whereas the electrical equipment in Brant county is in desperate need of repair, regularly causing disruptive blackouts to the residents and businesses of Brant county; and

"Whereas this equipment was previously offered for sale to the municipality, during which time the municipality was conducting its own restructuring and was

forbidden to purchase the infrastructure by the provincial government; and

"Whereas the municipality of the county of Brant is now in a position to purchase these dilapidated structures owned by Hydro One;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To allow the municipality of the county of Brant to commence negotiations with Hydro One to purchase the infrastructure that lies within the county borders to ensure that this equipment is properly maintained and to avoid further blackouts to our industry, caused primarily by the neglect of Hydro One."

I definitely sign my name to this petition and I offer it to Ryan, our page.

### TRANSIT SERVICES

**Ms Marilyn Churley (Toronto-Danforth):** I have a petition signed by over 1,000 people which reads:

"To the Legislative Assembly of Ontario:

"Whereas the government of Ontario has ceased to fund municipal transit systems, and whereas today as much as 85% of operating revenues come from the fare box; and

"Whereas a properly funded public transit system can mitigate the effects of global warming, traffic gridlock, poor air quality and smog alert days; and

"Whereas a recent study linked air pollution to the premature death of 1,000 persons per year in Toronto; and further

"Whereas several provinces, namely BC and Quebec, already fund transit from vehicle fuel taxes,

"We, the undersigned, petition the Legislative Assembly of Ontario to enact legislation forthwith that would fund public transit, dollar for dollar, from existing vehicular fuel taxes for both operation and expansion of public transit across Ontario."

I will affix my signature to this petition because I totally agree with it.

### LORD'S PRAYER

**Mr Jerry J. Ouellette (Oshawa):** I continue to receive petitions on an issue. These are from the First Baptist Church, the Farewell Evangel, the Harmony United and the King Street Pentecostal, and they read as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Lord's Prayer, also called Our Father, has been used to open the proceedings of municipal chambers and the Ontario Legislative Assembly since the beginning of Upper Canada in the 18th century;

"Whereas such use of the Lord's Prayer is part of Ontario's long-standing heritage and tradition that continues to play a significant role in contemporary Ontario life;

"Whereas the Lord's Prayer is a most meaningful expression of the religious convictions of many Ontario citizens;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario maintain the use of the Lord's Prayer in its proceedings, in accordance with its long-standing established custom, and do all in its power to maintain use of this prayer in municipal chambers in Ontario."

I am proud to support that.

### WATER EXTRACTION

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** "To the Legislative Assembly of Ontario:

"Whereas we, the residents and cottagers of Bob's Lake, strenuously object to the permit issued by the Ministry of the Environment to OMYA to remove 1.5 million litres of water per day from the Tay River, without adequate assessment of the consequences and without adequate consultation with the public and those people and groups who have expertise and interest; and

"Whereas it is our belief that this water taking will drastically impact the environment and seriously affect the water levels in Bob's Lake and Christie's Lake. This in turn would affect fish spawning beds as well as habitat;

"Whereas Bob's Lake and the Tay River watershed are already highly stressed by the historic responsibility of Parks Canada to use Bob's Lake as a reservoir for the Rideau Canal; and

"Whereas the movement of water from the lake throughout the watershed for navigation purposes in the canal provides sufficient stress and problems for the lake. This water taking permit will only compound the stresses on the waterway;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We request that this permit be rescinded until a comprehensive evaluation of the impact of water taking by OMYA Inc on the environment, the water levels and the water needs of these communities is complete. An independent non-partisan body should undertake this evaluation."

I affix my signature to this petition.

### NORTHERN HEALTH TRAVEL GRANT

**Mr Howard Hampton (Kenora-Rainy River):** This is a petition to the Ontario Legislature.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of the newly formed OSECC, founded by Gerry Lougheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Whereas we also support the efforts of Stéphane Aubé ... from Dryden who has taken the initiative to circulate this petition across northwestern Ontario;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

This is signed by hundreds of people from northwestern Ontario.

#### ELECTRICITY GENERATING STATION

**Ms Margaret Marland (Mississauga South):** It's a pleasure for me to table this petition on behalf of the member for Oakville, Speaker Gary Carr, and on behalf of my constituents in Mississauga South.

It is a petition to the Parliament of Ontario which reads as follows:

"Whereas Sithe Energies Canadian Development Ltd is actively involved in pursuing the development of an 800 MW electricity generating facility;

"Whereas the 14-hectare parcel of land on which the station is proposed is located on the east side of Winston Churchill Boulevard in the Southdown industrial district of Mississauga;

"Whereas Sithe has stated its commitment to an open dialogue with communities where it has a presence and to being responsive to the concerns of the same; and

"Whereas the government of Ontario has a responsibility to ensure the safety of Ontario citizens and to determine how this facility will impact those who live in its immediate, surrounding area,

"We, the undersigned, petition the Parliament of Ontario as follows:

"That the government of Ontario direct the Ministry of the Environment to undertake a formal environmental assessment of the Sithe project."

I am happy to add my signature in support of this petition.

**The Acting Speaker (Mr Bert Johnson):** Pursuant to standing order 30(b), I'll now proceed to orders of the day.

#### ORDERS OF THE DAY

##### STABILITY AND EXCELLENCE IN EDUCATION ACT, 2001

##### LOI DE 2001 SUR LA STABILITÉ ET L'EXCELLENCE EN ÉDUCATION

**The Acting Speaker (Mr Bert Johnson):** Pursuant to the order of the House dated June 27, 2001, Mrs Ecker has moved second reading of Bill 80.

All those in favour of the motion, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1600 to 1605.*

**The Acting Speaker:** All those in favour will please rise and be recognized by the Clerk.

##### Ayes

Amott, Ted	Hodgson, Chris	Runciman, Robert W.
Baird, John R.	Hudak, Tim	Sampson, Rob
Barrett, Toby	Jackson, Cameron	Spina, Joseph
Beaubien, Marcel	Johns, Helen	Sterling, Norman W.
Chudleigh, Ted	Klees, Frank	Stewart, R. Gary
Clark, Brad	Mariand, Margaret	Stockwell, Chris
Clement, Tony	Martiniuk, Gerry	Tascona, Joseph N.
Cunningham, Dianne	Maves, Bart	Tilson, David
Dunlop, Garfield	Mazzilli, Frank	Tsubouchi, David H.
Ecker, Janet	Miller, Norm	Turnbull, David
Elliott, Brenda	Molinari, Tina R.	Wettlaufer, Wayne
Galt, Doug	Munro, Julia	Wilson, Jim
Gilchrist, Steve	Murdoch, Bill	Witmer, Elizabeth
Gill, Raminder	Mushinski, Marilyn	Wood, Bob
Guzzo, Garry J.	Newman, Dan	Young, David
Hardeman, Ernie	O'Toole, John	
Hastings, John	Ouellette, Jerry J.	

**The Acting Speaker:** All those opposed will please rise and be recognized by the Clerk.

##### Nays

Agostino, Dominic	Dombrowsky, Leona	McGuinty, Dalton
Bartolucci, Rick	Duncan, Dwight	McLeod, Lyn
Bisson, Gilles	Kormos, Peter	Parsons, Emie
Bountrogianni, Marie	Lalonde, Jean-Marc	Peters, Steve
Boyer, Claudette	Levac, David	Phillips, Gerry
Cordiano, Joseph	Marchese, Rosario	Ruprecht, Tony
Crozier, Bruce	Martel, Shelley	
Di Cocco, Caroline	Martin, Tony	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 49; the nays are 22.

**The Acting Speaker:** I declare the motion carried.

The bill is ordered for third reading.

**Hon Norman W. Sterling (Minister of Consumer and Business Services):** On a point of order, Mr Speaker: It's very warm in here, and I'm sure every member of this Legislature would not be offended if either the clerks or the pages removed their jackets.

**The Acting Speaker:** I'm sure that's true, but I don't think it's a point of order.

**Mr Peter Kormos (Niagara Centre):** To that same point of order: I encourage them to take their jackets off.

**The Acting Speaker:** That's not a point of order, but if they'd like, they can take my lead.

1610

STABILITY AND EXCELLENCE  
IN EDUCATION ACT, 2001

LOI DE 2001 SUR LA STABILITÉ  
ET L'EXCELLENCE EN ÉDUCATION

Mrs Ecker moved third reading of the following bill:

Bill 80, An Act to promote a stable learning environment and support teacher excellence / Projet de loi 80, Loi favorisant la stabilité du milieu de l'enseignement et soutenant l'excellence des enseignants.

**The Acting Speaker (Mr Bert Johnson):** The Chair recognizes the Minister of Education.

**Hon Janet Ecker (Minister of Education, Government House Leader):** I'll be sharing my time with my parliamentary assistant, the member for Simcoe North, and also the member for Thornhill.

I'm pleased to speak on this bill, the Stability and Excellence in Education Act. This is another step in our commitment to provide our students with an education system that is focused on quality and accountability and improved student achievement. This bill will provide labour stability in our schools, it will help restore co-instructional activities for our students and it will implement the next step in our comprehensive Ontario teacher testing program.

I'd like to just briefly make a couple of points about those three initiatives in this legislation, and I'll start with the comprehensive teacher testing program. I know our critics love to portray this as something negative, but it is quite the contrary. Many other professions around the world, many other teaching professions in other jurisdictions, have varying degrees of quality assurance, professional development activities. It's not a unique requirement, and neither is this. Actually, the Royal Commission on Learning, which received all-party support, all three parties in this Legislature, recommended mandatory professional development for all educators and also that that be part of a recertification process every five years. That was a recommendation based on considerable consultation, considerable research. It was something that we said we would move forward with if we were elected, and so we are indeed attempting to do that in the legislation before this House.

We also know that not only do best practices in other jurisdictions and research indicate that this kind of step is appropriate for excellence in teaching, but we know that parents want to be assured that all teachers have the knowledge and the skills to help their children achieve higher standards. That in no way implies that we don't have in this province many, many excellent and committed teachers who go above and beyond for their students every day because they just see that as part of their job.

The second important issue has to do with labour stability in our schools, because students and parents have

been very clear that labour disruptions are not helpful for their education. They can not only cause disruption but can actually put the education of a student at risk. They have said to us that there has to be a better way to do this, and we agree.

We're doing two things in this bill. We're proposing to have collective agreements for teachers, between teachers and school boards, be for three years so that we don't have the cycle in some boards that we've seen of annual collective bargaining. Doing it every three years I think will be a significant improvement in terms of having boards and teachers be able to direct their energies toward improved student achievement.

The second change proposed in this legislation, of course, is to allow the Education Relations Commission, which is an arm's-length, independent body that gives advice to the government when there are labour disputes in schools involving teachers—they advise the government when we should take steps to stop a strike or a labour disruption because it's threatening the students' school year. We would extend their jurisdiction so they could also give us that advice—as they call it, a jeopardy ruling—if it was support staff. So it's not just teachers but also support staff.

For some, those changes may seem to be less than a province-wide or a significant dramatic overhaul of collective bargaining in the education system, and that may well be something that a future government decides to do. But I think it's important to recognize that that kind of change, while legitimate, while important, while something that may occur, could also provide disruption in the system, which we do not think is appropriate. We want to have our school boards, our schools and the government focus our efforts on all of those initiatives that will lead to improved student achievement, and this will allow us to do that.

The third important issue has to do with restoring extracurricular activities. As I think everyone in this House agrees, those co-instructional extracurricular activities are extremely important for our students. They allow them in many cases to learn better, to have opportunities that might lead to job opportunities, scholarships. There are many things that extracurricular co-instructional activities provide for our students and for the teachers who enjoy doing them. We've seen them used, unfortunately, in too many communities as a bargaining chip.

With the help of the task force, the advisory group on restoring extracurricular activities, they did considerable consultations, they made recommendations to all of the education partners, asking all of us to set aside our original positions to in effect compromise, and on May 7 I announced a significant package of initiatives that would indeed do that, that adopted those recommendations, that asked all parties to make that important step, and all parties said they would.

That is encapsulated in this legislation before the House, and it would give our school boards, our high school principals and our schools greater flexibility to

recognize co-instructional activities, the extra work that can be for a teacher when they are doing timetabling and assigning teachers' workload. I think that's an important improvement to assist both teachers and students.

It will also provide greater flexibility in how we define the standard for instructional time, the standard four hours and 10 minutes a day that we based on the national average. We will ensure that that includes important work the teachers do to provide remediation for students and also the supervision and on-call, filling in for absent colleagues, if you will, those duties as well. So remediation, supervision and on-call can also be included in the workload standard—again, flexibility that I think will help very much.

I think we were very encouraged to see—as I said, all education partners did say that they were prepared to set aside their original positions to work with the government to make this happen. We just saw recently in my own community in Durham region where the local public high school teacher union and the Durham board have come to a collective agreement. They said they were able to do that because of these moves that are being proposed in this legislation. I think that is something that parents, students and teachers are very happy to see.

We think this legislation is an important step along the path to an education system where the highest priority is improving student achievement. I would encourage all the members in this House to give it due consideration, to support it.

I would also like to say, before turning the floor over to my colleagues, that I would like to thank very much the staff in my ministry for their work, the task force for their work, the advice we've received from all of our educational partners, even my political staff for the assistance they have given in making this happen; and also to provide a special note of thanks to my parliamentary assistant, who will be speaking shortly, because he has also provided good advice and assistance in making this significant step possible today.

**The Acting Speaker:** Further debate?

**Mr Gerry Phillips (Scarborough-Agincourt):** I'm pleased to continue the debate on Bill 80, to say that we in the Liberal Party and caucus and Dalton McGuinty are extremely anxious that extracurricular activities be available to students. I might say that we proposed what we called a peace plan many, many months ago, that frankly I still believe is substantially superior to what's proposed here. We would have hoped the government would have taken advantage of that advice.

I hope the bill does provide an opportunity for extracurricular activities. I think many of us look back on our own days in the high schools, and extracurricular activities were clearly an integral part of that.

I would say that a problem in the bill is going to be the plan for three-year negotiations of contracts between our school boards and our teachers, but the government being prepared to only provide the school boards with one year of funding. In other words, they are telling the school boards that they must reach a three-year agreement, but

they are providing absolutely no indication to the school boards about the financial resources that might be available.

1620

I just want to put on the record the financial numbers, the amount of money that the province of Ontario is providing to our elementary and secondary schools. I sit on a legislative committee called finance and economic affairs, and we were looking at the budget bill. We had our independent legislative research staff provide for us the amount of money provided by the government for elementary and secondary school spending. The government always says, "We have increased spending by \$360 million this year over last year." Frankly, that is not the case, according to the numbers we have. The numbers we have, provided by our independent legislative research staff, show that spending is actually going down \$75 million. The government will say, "Yes, but you have to remember that in previous years we had some incremental spending that we provided only on a short-term basis to provide for higher fuel costs, an extra fund for textbooks, and some additional money for phasing, so we're not including that."

You've got to really read the fine print when they say that spending is going up \$360 million. It's not the case at all. Spending, year to year, is going down by \$75 million. I hope the public doesn't get too tired of these duelling numbers but, as I say, don't use our numbers, use the independent legislative research numbers.

Here we have the government saying, "We are now demanding by legislation a three-year agreement that you reach, but we're going to provide you with \$75 million less money." I might add that if you go back over a six-year period, we are essentially spending, per student in the province of Ontario, about the same amount of money as we spent six years ago and, as we all know, inflation has gone up very dramatically. So when we hear the problems that school boards are having meeting the needs in their schools across this province, I understand why: as I said, \$75 million less available this year—the year that we have just entered—than last year. I challenge the minister to refute those numbers. She may choose to say, "But you're including in last year's numbers some things like extra money we provided for fuel and extra money we provided for texts."

I raise these because the bill is called an act to promote a stable learning environment, and I submit that with less funding and with the implementation of funding for private schools, those two things will do more to destabilize our public education system, frankly, than almost anything the government has done to date. I would add that over the last six years, the government has very much destabilized our public education system.

I quote what the implications of the funding will be from a letter that the Premier himself sent. He sent this letter to point out how angry he was that the federal government was giving any indication at all that it would support extending support to private schools. He said:

"As our provincial Minister of Education has made clear, our government is committed to preserving and improving our public education system by upholding our constitutional obligation to fully fund public and separate schools. Complying with the UN's demand, as the federal Liberal government would have us do"—the demand to fund private religious schools—"would remove from our existing public education system at least \$300 million per year, with some estimates as high as \$700 million. Obviously, such an action would run directly counter to Ontario's long-standing commitment to public education.

"Our government is providing strong leadership to protect our public education system."

He goes on to argue strenuously against extending funding to private schools. This was less than two years ago, January 18, 2000. The Premier himself saying it would result in at least \$300 million, up to \$700 million, and would run "counter to Ontario's long-standing commitment to public education."

The Minister of Education was even stronger in her letter dated January 13, roughly 18 months ago, again a letter to the federal government. She said:

"I wish to inform you that our position on this matter remains unchanged. The government ... is not prepared to adopt the alternatives suggested by the UNHRC"—the United Nations—"for complying with the decision, ... namely to provide direct funding to private religious schools....

"We believe that our commitment and resources must continue to focus on preserving and improving the quality of our publicly funded system. While the government of Ontario recognizes the right of parents to choose alternative forms of education for their children, it" has "no plans to provide funding to private religious schools or to parents of children who attend such schools. As was set out in the submission to the UNHRC, extending funding to religious private schools would result in fragmentation of the education system in Ontario and undermine the goal of universal access to education....

"We trust that the government of Ontario's position, as outlined in this letter, is clear, and that you will proceed to draft Canada's response to the" United Nations "in keeping with this position. I was somewhat surprised to read the comments attributed to you in the Toronto Sun today, given the position presented to the UNHRC and the fact I have not yet received any communication from you indicating the contrary."

It was absolutely clear less than two years ago, a year and a half ago, that the Premier and the Minister of Education were crystal clear in saying it would be a huge mistake to extend funding to private and private religious schools and it would take \$300 million to \$700 million out of funds that would be available for our public schools. The reason I raise this so strongly as we're dealing with Bill 80, called An Act to promote a stable learning environment, is the government says it's going to provide funding to allow a stable learning environment in three-year settlements, but it is proceeding with a move on the funding for private schools that will do far

more to destabilize our system than anything the government's done.

Don't just take our word for it. The National Citizens Coalition has been very clear. They say that extending funding to private schools "is the most important educational public policy initiative going on in North America." The Fraser Institute said it's the biggest development in 100 years in education and indicated that 15% to 30% of students will move to the private and religious schools. Yet the government is saying that this bill, Bill 80, will bring some stability to the education system.

I go on to point out how the instability is coming. This was a brief that's probably 70 to 80 pages long, submitted by the government of Ontario, arguing against—

**Mr Gilles Bisson (Timmins-James Bay):** On a point of order, Mr Speaker: The member is making I think some very good points but it doesn't appear we have a quorum in the Legislature to hear it.

**The Acting Speaker:** Would you like me to check and see? Would you check and see if there is a quorum present.

**Clerk Assistant (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant:** A quorum is now present, Speaker.

**The Acting Speaker:** The chair recognizes the member for Scarborough-Agincourt.

1630

**Mr Phillips:** Thank you, Mr Speaker. As I was saying, the bill is entitled An Act to promote a stable learning environment, but as we are approving this bill, a measure that will do far more to destabilize the education system than anything that has been done to date by the government is underway, I'd like to put on the record Mike Harris's argument a year and a half ago against extending funding. He said the Ontario government "submits that one of the strengths of a public system of education is that it provides a venue where people of all colours, races, national and ethnic origins, and religions interact and try to come to terms with one another's differences. In this way, the public schools build social cohesion, tolerance and understanding." This is Premier Harris's language.

He goes on to state, "Extending public school funding rights to private religious schools will undermine this ability and ... result in a significant increase in the number and kind of private schools. This would have an adverse effect on the viability of the public school system which would become the system serving students not found admissible by any other system. Such potential fragmentation of the school system is an expensive and debilitating structure for society."

Moreover, he says, "Extending public school funding rights to private religious schools could compound the problems of religious coercion and ostracism sometimes faced by minority religious groups in homogeneous rural areas."

He goes on to say, "It would have a detrimental impact on the public schools and hence their ability to foster a tolerant, multicultural, non-discriminatory society in the province, thus undermining the fundamental rights and freedoms of others."

The reason I read that in is that we were told time and time again in the hearings that this move to fund private and private religious schools will have a dramatic negative impact on our public schools. The support for that came from both those who were for and those who were against.

The Fraser Institute, as I say, said this will mean the most dramatic change in education in 100 years. They've studied this. I disagree with their political leanings, but they're an organization that does their research.

The National Citizens Coalition said this move is the biggest change for public education going on in North America. They go on to point out that, contrary to the numbers that were made up on the back of an envelope by the government, this will not have a huge impact. The people who study this say 15% to 30% of the students could end up in private and private religious schools.

I say to the public, listen to the language that the Premier used a year and a half ago when he argued strenuously against doing this. Why are they doing it? I don't know for sure. The thing that all of us know is that until the budget was presented no one saw this coming. The government was on the record saying the exact opposite. In fact, they attacked the federal government strenuously.

The Premier sent a strongly worded letter indicating he's concerned that the federal government is going to expect Ontario to comply with the United Nations decision regarding the provision of denominational schooling. "As our provincial Minister of Education has made clear, our government is committed to preserving public education. Complying with the UN demand would mean removing from our existing public education system at least \$300 million, with some estimates as high as \$700 million."

So, here we are approving a bill to provide stability to the system and we are throwing a hand grenade into our public education system. Anybody who doesn't believe there's going to be fundamental change has not read the material, has not listened to the government's own arguments of less than two years ago, has not listened to many of the professional educators.

It was instructive: three former deputy ministers of education, probably three pages of other current and former directors of education, all urging the government to reconsider its position. These are people who have served under a variety of different political regimes here in Ontario. I believe most of the deputies served under Premier Davis.

So, I just say that stability, under Bill 80, will be totally undermined as the impact of the funding of private schools begins to be felt and as, I might say, the funding impact of taking \$75 million a year out of public education begins to be felt.

**Mr Bisson:** Here we are yet again debating a bill in this Legislature, another bill that is, to an extent, an attack on teachers. I have to say again, because I really get to a point where I have to say to the government: give your head a shake. With every opportunity you guys get over there, you want to pick a fight with the teaching profession.

I just say, what's the point? What are you guys trying to prove? I have to ask myself, is it a question that you're trying to score political points with a certain part of Ontario society which happens to feel that teachers are somehow more privileged than the rest? I have to wonder, is it that? Is it truly a dislike for the teaching profession? Are there those among you who worked in the teaching profession for years and have a secret desire to see it relegated to the back of the esteem of the public, as far as the profession that it is? Or is it just that, quite frankly, you guys are lost and don't know what the heck you're doing? I've really got to ask myself.

I would think that in a modern society like ours in the year 2001, a nation that prides itself on being one of the most progressive nations in the world, a province that prides itself on saying, "We are a province that has a caring compassion for our fellow citizens and understand that a modern economy cannot operate effectively and efficiently without good people who are properly trained, and you need teachers to do that"—you ask yourself, "Why are you constantly, at every occasion, trying to find a way to pick a fight with teachers?"

I say, shame on you. It's the wrong thing to be doing. What we should be doing in this Legislature and what we should be doing at the cabinet table and what we should be doing at our committees and our ministries is trying to find ways to be able to strengthen the teaching profession. We should be saying to ourselves, "How do we challenge ourselves as legislators in order to find a way to take the best possible advantage of new teaching methodologies, of technologies within the classroom, of what's going on out there as far as the Internet and other things that are available to us, so that we can make the teaching profession a stronger profession, one that, at the end of the day, young people can aspire to and they're feeling challenged and thrilled when they get into it and are able to pass that energy and that drive that they have back to the kids in the classroom?"

But instead you've managed, on every occasion, to pick a fight with the teachers. I say, it's starting to have an effect. All the members of this assembly—this is not just New Democrats; this is not just Liberals or even Conservatives—when we go back to our constituencies, we deal on a daily basis, or at least a weekly basis, with kids in the classroom, teachers, principals, school boards or parents. We come in contact with education on a weekly basis, if not a daily basis. We as legislators, above most people, should understand the importance education has to not only our kids but to the economy.

The way you develop a good education system, in my view, is to focus on the positive—yes, to admit where there is a problem; yes, to admit that we could do better;

yes, to admit that not everything in education is 100% rosy, because I think you have students, teachers and ministers of education and members of this assembly who would stand in this place and say, "There are some problems in the education system, and we need to make it strong." But it's the old story: are we going to look at the glass as being half empty, or is it half full? You guys try to focus on the half-empty side. I say, let's look at the half-full side.

What are some of the things we could be doing? One of the things we could be doing is providing the kinds of resources our school boards need so that they aren't constantly having to fight, at the school board level and with the provincial government and others, about the funding shortfall that exists in the education system. That's one of the things we could be doing. We should be saying to our school boards, our partners out there who are responsible for running our schools and our classrooms on a daily basis, "What are the kinds of things"—within limits; within the ability of the government to pay. I don't argue that we should just open our wallets and let it rip and let them do what they want, but I would argue, within limits, what are the priorities in our education system, and how can we fund them so that we can make learning the best possible experience for our young people, so that at the end of the day, when they come out of grade 12—grade 13 for the next couple of years, for those who choose—they come out with the best possible experience in education that they can get as people here in Ontario? Instead, we tend to focus on the negative. What we could be doing is looking at, what can we do?

1640

For example, I look at the new technologies and at what is happening in the workplace. There have been some positive steps, not only by this government but by other, preceding governments, to take a look at developing work experiences for young people in the workplaces of today. We call those co-op programs in the secondary level at grade 10. Some schools offer them at different levels, but most of them at grade 10. We say to our young people, "Let's develop a co-op program where you can go out and experience what happens in a workplace so that you can relate what you're learning in the classroom to the workplace, and vice versa, learn what you've got in the workplace and bring it back to the classroom. But more importantly, it will help you make some choices about what you might want to do when you finally make the decision about college or university." We can do a lot more when it comes to dealing with trying to provide good, strong opportunities for our students when it comes to the co-op.

Mr Speaker, I notice that again we're without a quorum and I wonder if you can have the—Mr Speaker? Mr Speaker? I would like you to check if there is a quorum.

**The Acting Speaker:** I want to remind you that I hear with my ears and I see with my eyes. Just because my eyes are up in the corner of the room doesn't mean I can't hear. I expected you to proceed if you needed my attention for anything.

**Mr Bisson:** Mr Speaker, I believe we do not have a quorum and I ask you to ask the table clerks to see if there is a quorum.

**The Acting Speaker:** Would you check to see if there's a quorum present.

**Clerk Assistant:** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant:** A quorum is now present, Speaker.

**The Acting Speaker:** The Chair recognizes the member for Timmins-James Bay.

**Mr Bisson:** Thank you very much, Mr Speaker. If people only knew what happens in the sort of friendly exchanges we have here. I was indicating to one of my friends across the way that he has turned out to be one of my favourite Conservative members, and he's still sort of shocked over there and doesn't know quite what to do with that. But that's another story.

As I was saying, it is important that we could be focusing on the positive things we can do in education. As I was saying about the co-op system, we could be doing really amazing things in trying to extend that program. For example, why don't we try to give the co-op program a bit of a focus? Yes, it means some investment of new monies to make it happen, and maybe some reallocations as well, but let's look at how we can maybe refocus.

In the community I come from a huge advance has been made with the new technologies in both the forestry and mining industries, on the harvesting side and also on the processing side of the forestry industry, and in mining as well. Why don't we look at having in grade 10, grade 11, grade 12—some could argue even in grade 9—some sort of a focused co-op program that could give students the kind of experience they could get in private sector industry so that industry is able, first of all, to show to the young people in our system of education what's out there, and at the same time give the kids an opportunity to learn a little bit about those new technologies?

It could be everything from programming to the actual equipment, as far as how that works—they may not have to operate it, but at least to learn how it operates and what makes it tick—and then trying to tailor programs in our secondary system and our college and university systems so they are more closely related to the workplace. I'll give you an example.

I was on a tour recently with one of the legislative interns who worked for us here this winter, Nanda Purandare, who was an intern for both Brenda Elliott and myself. We had a great opportunity to go out and to visit the Falconbridge mine. I come out of the mining sector and I have a good understanding of how hard-rock mining operates—underground, surface and pit operations. I worked in the industry. I worked on the technical side as an electrician and also as a technologist-electronics person in that time.

When I brought Nanda through it, we were touring the hoist room up at the Kidd Creek mine site. The mining company now is moving toward much more sophisticated systems when it comes to programming and equipment

that operates underground. In fact, the father of one of the pages here, Dustin Hughes—George Hughes, a fellow I've known for some time; we were in the air cadets together—is responsible for developing much of the systems when it comes to developing new technologies and how we can best utilize technology in the workplace, in the mining industry.

Why don't we look at focusing some dollars and how we can best use the expertise within the private sector and the expertise within the public sector to develop systems and programs and the co-op stages that really give our kids a good opportunity to get the experiences they need so that they can make some good choices about what they want to do when they go off to college or university? We can do that in the public sector as well.

Why don't we open up our co-op programs so that we can better utilize co-op programs in the public sector? What is wrong with a young person saying, "I would like to work for the Ministry of the Environment as an inspector," or, "I would like to work for the Ministry of Health as a lab technologist," or whatever it might be? "I desire to serve the public and work for the public sector in years to come, but as a young person in grade 9 or 10, I'm not quite sure what that would be, so I need some experience," says the young person, "in order to make some of those choices of, do I go into sciences, do I go into technologies, do I go into arts, do I go into business, do I go into administration?" so that they're able to get a broader view of what is offered in the public sector as far as employment.

In fact, people should know that the public sector is the largest employer in the province of Ontario. Right now, we do have some co-op programs within government offices but we don't have them to the extent that I think we could be offering.

Why don't we look at what the Europeans have done by way of apprenticeships? Why don't we look at students who decide that maybe university is not the way they want to go but they would like to go into some stream of technology or administration or whatever it might be, and look at developing internship programs that give people the opportunity, while they're in high school, to do some placements by way of co-op in a few of the trades or technologies or whatever they want? They can then start honing in on making a decision by the time they get to grade 11 or 12, and by that time put in the full internship program that allows them to work within industry, at the same time being able to get work.

I would argue that not only is that a valuable tool for the student, because the student develops an understanding of what is available, makes a decision about what they want to do and then falls into an internship program supported by the government that is out there in a real job so that by the time they have finished their internship they are in a position of being able to have the licence or degree or whatever it is they need. I would argue that employers—because I've also been a private sector employer—would love that opportunity. A lot of businesses out there—large, medium and small—I think

would jump at the opportunity to bring new people into their organization. And yes, the motivation would be initially that it would cost those employers less money. That would be initially why the employers would want to do it. But the idea would be that the employer pays part of the wage of the person while they're on internship while the government pays the other part on a sliding scale going down as a person gets more experience and comes closer to successfully completing the program until eventually the employer is responsible for the entire cost.

It would do a couple of things, in my view. It would motivate our young people to really make some good choices about what they want to do. It would make their choices easier. As it is now, they sit in grade 11 or 12 and it's a little bit like a dartboard: "I think I'm going to go into health sciences," and they go there and do that for a year of college and they go, "Gee, I didn't like that. Maybe I'd rather go into administration," and they switch programs, or unfortunately sometimes they just drop out. I would say that kind of good opportunity to make some choices based on actual experiences while they're in high school would be a really good thing to do.

The other thing you have to tie to this, I would say, is when it comes to the teachers and giving them the kind of support they need—and I come back to the bill—in order to do a better job when it comes to this particular issue.

#### 1650

For example, I'm a tradesperson. I'm an electrician by trade. Originally it was electronics, and eventually I went over to electricity. So basically I've gone through two different programs: an electronic technician's program and an electrical apprenticeship program, which I completed. What is wrong with saying to those people who are in the teaching profession, "We're going to allow you to go back into the field, either public or private sector employers, and give you an opportunity to upgrade your skills so you can bring those skills back into the classroom so that they're current?"

Currently, the problem we have at the college level, for example, and it's the same thing at the secondary level—I'll talk trades specifically—is that you get hired as a trades teacher. You're a successful applicant. You've got all the required things that you need to get hired. You get in, let's say, in 1980 as a shop electrical teacher. Often what ends up happening is that person may only work in the shops at the high school for a period of 10, 15 or 20 years. I can tell you, I've been out of the electrical trade for the better part of 15 years, and I would not go back into industry without taking some kind of refresher programs and serving a short-term apprenticeship to get me back into it, because things have changed greatly.

Why don't we give the teachers an opportunity to do sabbaticals so they can go back into their chosen profession and get some concrete experience so the teacher is not penalized by way of salary and pension contributions, nor are they penalized by way of seniority? So every five years or so, the teacher can withdraw themselves from

the classroom, go out and get those experiences they need to upgrade their skills so that they are current with what's happening out in the workplaces today. Then also, more importantly, and in my view as a former shop teacher for a short period of time—and I was an unqualified shop teacher, I want to say for the record. I supply-taught for two and half years in the Timmins public board. Why don't we give them the opportunity to get out?

The point is, once you've been dealing with kids for a long period of time, you might get a little bit short on patience, depending on your experience. I think allowing the teachers by choice in a positive way to get out of the classroom and get some experiences and get them back in again would be good for the teachers and good for the kids, because at the end of the day the teacher would come back and say, "I'm all excited again. I'm ready to go. I've learned some new things. Man, I'm looking forward to getting back in the classroom." The kids would benefit from that positive experience.

I think the critic would like at this point to go into debate, unless you want me to go a little bit longer.

**Mr Rosario Marchese (Trinity-Spadina):** No, this is great.

**Mr Bisson:** OK. So I would just say, in the final wrapping up, those are the kinds of positive things that I think we could be focusing on as members of this assembly, rather than doing what this government has done, which is to basically focus on the negative and attack teachers constantly. As a result, we have teachers who are demoralized within the teaching profession. I argue it's not only teachers who suffer. I argue it's kids, because if kids are unhappy, they don't perform well. It's like MPPs: if you're not happy at what you're doing, you're not going to do a good job for your constituents. It's the same thing when it comes to teachers. For the kids, they're the losers, because at the end of the day they don't get the best possible experience that they can get when you're demoralizing teachers by constantly attacking them.

Last point, an interesting figure that came out: the enrolments in our teachers' colleges across the province have diminished by almost half. That tells me the public is getting the government's message. They understand that you say that teachers aren't valued and should not be valued members of our society and it's a profession that people should not aspire to. The kids have got the message. They're not enrolling in the numbers they did before, and as a result we have fewer people going into the teaching profession.

So I say, why don't we work on the positive and stop doing the negative? Because at the end of the day, all you end up doing is hurting the kids.

**The Acting Speaker:** Further debate?

**Mr Garfield Dunlop (Simcoe North):** I'm very pleased this afternoon to rise on the third reading debate on Bill 80, the Stability and Excellence in Education Act. I'm very pleased also to follow Minister Ecker. I'd like to say to this House what a pleasure it is working with

Minister Ecker. I want to commend her for a job well done in this last session as the Minister of Education, but also an excellent job as our government House leader.

I'd like to make a few comments on some of the co-instructional activities and some comments as well on some things around student-focused funding.

First of all, parents, students and taxpayers want our ministry to be completely honest and transparent. The provincial government—this is referring to some of the comments made by Mr Phillips—uses accounting and reporting practices that are approved by the Canadian Institute of Chartered Accountants. The government's accounting practices are similar to those used by most major private sector companies. There's only one way to be completely honest and transparent, and that is to present the actual spending numbers, as we have reported.

The actual spending numbers are clear and well known. Education funding has gone from \$12.9 billion in 1995 to a projected \$13.8 billion for the next school year. Of course, you've seen that in the budget.

We recently announced that funding for the public education system for the 2001-02 school year would be increasing by more than \$360 million. Education funding for the school year is 2.8% higher than the funding for the school year that just passed. That represents an increase from \$12.9 billion to \$13.8 billion from 1995, when we took office.

I also want to talk about co-instructional activities. Our education reforms continue to be focused on supporting excellence, achievement and accountability within the public education system.

All of our education reforms—more challenging and rigorous curricula, standardized student testing, fair and equitable student-focused funding, safer schools, teacher testing and a stronger voice for parents in their children's education—have been aimed at supporting these objectives.

Quality education requires a commitment of significant public resources, as well as flexibility for school boards to define and meet their local priorities. In response to suggestions from the education community, the additional \$360 million for the coming school year is being provided in a way that allows for greater flexibility in determining local priorities.

In addition to the necessary resources, quality education requires stable and positive school environments to support teaching and learning and to ensure the availability of co-instructional activities for all students. An education system committed to quality is an education system where everyone must work together.

The government has therefore committed to giving school boards and high school principals greater flexibility to recognize co-instructional activities while assigning teachers' workloads.

Parents want to be assured that their children learn in school environments that are enriching and stable.

Teachers and volunteers here and in many schools across the province are supporting co-instructional activities as they have always done, but we share the concern

of parents and students in schools where a full range of co-instructional activities is not available.

Outside their regular classes, students participate in a wide range of sports, arts and cultural activities. Other important activities that contribute to a quality education for our students also take place outside the instructional day. These include parent-teacher interviews and school functions such as commencements and graduation ceremonies. These co-instructional activities are a very important part of a student's education.

Teachers have often stated that making these opportunities available to students is an important part of their professional responsibilities. Parents have told the government that they do not want their children denied important school-related activities because of labour disputes.

The Stability and Excellence in Education Act would implement key recommendations from the minister's advisory group on co-instructional activities and other education partners to ensure that co-instructional activities are available to all students in our province.

Bill 80 would maintain the current requirement that high school teachers teach an average of 6.6 eligible courses a year, the course load equivalent of an average of four hours and 10 minutes per day, but provide greater flexibility in the regulations that define instructional time. That would include time spent giving remedial help to students so they can meet the challenges of Ontario's rigorous curriculum and time spent on duties such as supervising students and filling in for absent teachers.

It is planned that regulations would provide the details of all eligible programs that can be counted as instructional time and how they are counted.

The maximum average class size for secondary school classes, calculated on a board-wide basis, would remain at 21.

The legislation would allow a school board to pass a resolution, at a public meeting, to vary the maximum average class size in its high schools by up to one student.

1700

Bill 80 would give the Minister of Education the authority to make regulations respecting the process and timing of the resolution, the period of time during which the resolution would apply and the matters the resolution must provide for. It is then incumbent on the board to ensure that the aggregate average class size does not exceed that passed in the resolution. Boards have asked for more flexibility with respect to the secondary class size standard, and we are giving them that flexibility to ensure students receive a better education.

This does not mean that all teachers have to have the same workload. The instructional time standard, 6.67, is an average workload. School boards would have the flexibility to vary the assignment load of teachers. For instance, in addition to teaching credit courses, some teachers could be assigned remedial instruction, others could be assigned supervision duties and a third group could include all three components in their workload.

It also does not mean that schools will end up with all teachers teaching a quarter-credit course. We have reduced the average credit-course workload for teachers and have stated that we will recognize remedial instruction, supervision and substitution for absent colleagues in the instructional time calculation.

Nothing in legislation requires that all teachers have the same workload. We have provided flexibility to boards. We expect teachers to be flexible in working with boards to meet the needs of students.

This provides boards with flexibility to access resources that could be used for local priorities to meet the needs of students for quality education. There are opportunities for better programming for students, a safer school environment and more time for qualified teachers with students.

The instructional time standard is consistent with other provinces. With this legislation, the government has introduced additional flexibility into the system and expects school boards to work with teachers to best meet the needs of students.

The changes resulting from Bill 80, by contrast, would not cost taxpayers extra money. It will in fact let boards use existing funding more flexibly to meet their priorities, as was recommended by the Advisory Group on the Provision of Co-instructional Activities.

We have always said that smaller class sizes contribute to student achievement. That's why we took steps to lower average class sizes. We have provided \$264 million to make class size smaller. Class size at the elementary level has already been reduced.

The bill would repeal subsections of the Education Accountability Act, 2000, which made co-instructional activities a duty of a teacher and which provided principals authority to assign co-instructional activities to a teacher.

As announced on May 7, the government plans to proclaim the sections of the Education Accountability Act that require school boards, in accordance with guidelines provided by the ministry, to develop and implement plans for the provision of co-instructional activities for high schools. The bill would also require the principal to develop and implement a school plan for co-instructional activities and to seek input from the school council on this school plan.

We are implementing a compromise that should restore co-instructional activities in our schools this fall. We are committed to setting higher standards for student achievement in Ontario, and we are committed to providing students with the tools and the environment they need to succeed.

The proposed Stability and Excellence in Education Act is an important step along the path to an education system where the highest priority is improving student achievement.

I want to make a few comments on some of the things Mr Phillips mentioned on the United Nations report. In its report, the United Nations human rights committee argued that Ontario should offer full funding to other

religious schools or discontinue funding for the Catholic separate school system or offer religious instruction as part of the public school curriculum. As you know, we fully fund 72 boards across this province.

We opposed those recommendations when they were first made, and we continue to oppose them now.

The commitment we have made to parents is to provide them with modest tax relief that respects parental choice. We have listened to parents who asked us to respect the choices they make. The move is consistent with our ongoing efforts to bring quality to Ontario's education system. The government remains committed to the publicly funded education system to ensure that all students have access to a quality education. The Ontario government will continue to uphold its constitutional obligations and provide increased funding to public and separate schools.

I have a few moments left and I just want to say at the end of my comments that I appreciate the opportunity to speak on Bill 80 today. I wanted to speak a little bit on our throne speech report, "21 Steps into the 21st Century." At this time, I'll leave the remaining time to Ms Molinari, and I appreciate the opportunity to speak to this bill this afternoon.

**Mr Joseph Cordiano (York South-Weston):** I am delighted to speak on this bill on second reading. There are two parts to this bill, one dealing with teacher excellence, so-called by the government, and the other part speaks to creating greater stability in our education system.

That is a great question mark, with respect to this bill. Nothing could be further from the truth, the introduction of this bill, and in fact most of what this government has passed off as creating stability or excellence simply doesn't wash. At this point, I think most people in the province are now recognizing that there is great instability in our education system. This bill further destabilizes school boards and our schools right across this province.

The bill calls for three-year contracts to be negotiated by boards. However, the government fails to provide any funding over a three-year period to coincide with settlements that would be of the duration of three years. So you have no funding for contracts to be negotiated over that period of time. In effect, school boards are being asked to cope with this without the funding necessary to make it a reality. The government is trying to have it both ways. This does not provide for stability over that period of time when contracts need to be settled.

As well, my colleague the member for Scarborough-Agincourt pointed out earlier in his comments that the finance and economic affairs committee had an independent research paper done by legislative research that indicated the government is actually spending less money this year, about \$75 million less than last year, contrary to the claim the government has made that they're spending more. How in the world are school boards, our schools, our children, able to cope with less money when they're already being constrained? This government has repeatedly cut funding to schools, and

over the last six years, as a matter of fact, the per student spending is the same. There has been no increase over six years. Not accounting for inflation over that six-year period, schools have had to cope with less money.

The evidence is really quite clear. You walk into a school, you talk to the principals, you talk to the teachers, and they haven't got money for anything. My daughter, who is in grade 5 this year—she was in French immersion—did not have a textbook all year. That's a crying shame. She belongs to what I think is a very good community school in the separate school system, but they simply don't have the resources to have textbooks for all the students. That is still the case today, and it is a real shame that in this great province of ours there isn't the ability to provide textbooks for all our students.

Once again, we have to look at the record of this government. Schools have tried to cope, boards have tried to cope with less money and—

**Mr Gerard Kennedy (Parkdale-High Park):** A strike.

**Mr Cordiano:** —and a strike and the ongoing difficulty that teachers face being demeaned by this government. There's no other way to describe it, because every single teacher, and my wife is one of them, is completely demoralized by the fact that this government fails to recognize the great job teachers have done in our school system, and at the same time having to cope with enormous difficulties that go well beyond the classroom.

1710

So I would say that this act does not accomplish what it sets out to accomplish, and that is to create any kind of stability in our system, to enhance and improve our education system. In fact, it does the contrary. It destabilizes the system, not to mention the fact that this government now intends to fund private, wealthy schools. These are wealthy schools, most of them. The ones that aren't, independent religious schools, are an entirely different matter.

But at the end of the day this government intends to provide public funds to private schools. That ultimately can mean only one thing: that dollars intended to go to the public system will now be going to the private system. Obviously that means less money for the public system.

**Mr Marchese:** It's good to speak to this bill, the Stability and Excellence in Education Act. I spoke to it yesterday. We can't get enough of this kind of stuff. But it's interesting to hear the various MPPs speak about this bill, interesting to hear Mr Flaherty yesterday talk about how competition is good, meaning that giving public dollars to some religious schools and the non-denominational schools that do not need our help, that that competition is good for our public system. Good citizens, do you understand the argument he's making? How does giving your money to private schools make our public system qualitatively better, private schools that are not subject to the restrictions that are imposed on our public system, to the restrictions and standards that are imposed on our teachers? How does that make it competitive?

They are not subject to the same standards. How do we compete, first of all, and how does it make it better for our public system to divert money to a system that is not in any way, shape or form accountable in the way that teachers in the public system are? I just don't get it.

It makes absolutely no sense. How does giving money to private schools, where tuition fees are \$15,000, allow the public system to better compete and to say that kind of competition is good for us? Can you believe it? This is a minister of the crown speaking, a minister who ought to know better. Clearly the Minister of Education didn't make that argument, but I suspect she probably might or is capable of making such a comparison. But the Minister of Finance, Mr Flaherty, making such a claim, that giving money to those who pay tuition fees of \$15,000 and up—or \$7,000 and up, depending on which private school you send them to—is going to make it easier for my kids in the public system—it's just incredible, the arguments you hear from these people.

No other group has been subjected to the kind of demonization that we have witnessed other than the teachers. With the exception of welfare recipients, those who receive social assistance because their needs are different from mine, teachers are next in line for having been assaulted day in and day out. So demoralized are the teachers that we depend on for the education of our children that many parents are concerned about the quality of education we're getting.

The member for Simcoe North says this government is committed to quality in education. Well, show the evidence of your commitment. You can't just say it in words; it has to be actually seen in practice.

How does taking \$2.3 billion out of the educational system make it a qualitatively better system than previously? It makes no sense. These are ministers of the crown arguing this, people who ought to know better, people who are presumably educated somewhat, I might venture to say, making arguments about commitment to quality.

How can you argue that taking money out of the system is good and that it improves quality? How can you argue that taking \$300 million out of the public system because we now fund private schools—because that's what Mrs Ecker said. While she doesn't deny it, she did say it. It was in her writing; at least her signature was there. So did Premier Harris make the same claim that funding private schools would take \$500 million. The amount of the claim is somewhat different, but it's higher than Mrs Ecker said it would be to fund private schools. What sense does it make to suggest that taking \$3 billion out of the education system, once you factor in private school funding, brings quality to the system? It's unbelievable. I don't get it.

I know you've got to make the statements. I know you have to, for political reasons, say these things. But it isn't bright, it's hardly intelligent, to those who pay attention to educational issues. It may not matter to some who obviously are concerned about your political message that doing more with less is OK. They might, I suspect,

be convinced by the argument. But the majority of people who came to the committee dealing with tax credits for private schools are not persuaded or dissuaded by your argument. You see, they know better. They know because they are engaged actively in the education of their children and they know what they have missed, what they do not have and what the cuts have meant to their children and to them as parents and to the teachers who have to teach them.

I don't know. I'm not quite sure of the arguments you people make. In fact, the member for Durham argued in committee that one size fits all is simply not a good philosophy with respect to where parents send their children. I argued with the member for Durham, while he was in committee, from time to time. I said, "Hold on a moment. Why is it that one-size-fits-all education financing is OK for everyone in Ontario, but you don't agree with the one size fits all for all students?"

Why is it, member for Durham, that you apply two standards? One size fits all is not appropriate for those you say ought to have a choice to send their kids to private schools, but one size fits all is OK in terms of education financing of all the boards across Ontario, where we have clearly argued that we are all so different in Ontario from one area and region to the other that one-size-fits-all financing simply doesn't work, makes no sense. How could you not, member for Durham, see that? Yet you argue that a similar kind of philosophical statement, the one size fits all, is simply not good when it comes to a matter of choice. You see the inconsistency? You've got to try to be as consistent as you can when you make these arguments.

So many points were made in committee with respect to tax credits for private schools. The member for Oxford on many occasions said and argued that it's OK for these students and teachers in private schools not to be subjected to the same rules but is very proud to say that the teachers in the public system will be subjected to teacher testing, will of course have to maintain those standards that are so vital, he argues, in order to bring up the quality of education for our public school students, but it's not OK to apply the same standards for the students and teachers in private schools; that it's OK and necessary to have a teacher's certificate to teach in a public system, but it doesn't matter if you don't have a teacher's certificate if you send them to a private school.

1720

You see all these inconsistencies? I'm convinced some of you are able to see these inconsistencies. I'm convinced the member from Ottawa West-Nepean probably sees them. I'm convinced many of the members see them, but when you have to, as a matter of rule because you're a member of government, follow the dictates and the directives given to you, I suppose you will all make the same argument. But it's wrong. I tell you, when you bring in this bill, stability and excellence in education, pretending that you're bringing in stability when all you've done for five years is destabilize the educational system, it makes no sense.

For six long years, you've done nothing but cause and create chaos in the system. Snobelen obviously was the only one who was clear in his intentions when he said, "We need to create a crisis in education." At least you respect someone who says out loud, "That's what we want to do." The others of course are surreptitiously skulking around the issue by simply suggesting that of course what they're after is stability and quality in education when everything that has been done to the public system is anything but. I don't know how they get away with it.

They talk about multi-year funding as part of this bill as a way of bringing stability. Boards and teachers' unions have been saying, "Sorry, we have not been getting a fair deal from you for the last six years. In fact, \$2.3 billion has been taken out of the education system. How can you try to persuade us that multi-year funding, three-year funding is good for us when we know that for six years we've gotten less every year for the financing of our public system?" How can you think they would be happy with that multi-year funding? They would be happy, and probably would not be opposing it, if they knew the funding was at least adequate to address children's needs and to address the needs of the system; they would be. But because experience has shown them that the money has been inadequately disbursed, they don't trust you.

I know the member from Thornhill is about to come and tell us how great choice is, how much money the system has been getting, and the quality in education, God, it could not be better since the Tories have come in. I know the Thornhill member is ready, because she's got her books packed up and she's ready to make her speech, right? But I can anticipate in advance what she's going to say. "Choice is good. It will make things better." She's going to mimic Minister Flaherty when he says, "Competition is good."

**Mr Peter Kormos (Niagara Centre):** She'd better be careful because of her bill. Her bill may or may not pass this evening.

**Mr Marchese:** That's a different issue, isn't it? But we're going to hear those kinds of arguments: quality, helping them, making teachers more accountable—"but we don't have to make the private schools more accountable"—all of that. Am I missing anything?

Teaching testing is nothing but a political manoeuvre. It's very highly political. I argue that MPPs should be tested, in which case I suggest that most of us probably wouldn't be here.

**Mr Kormos:** Let's go for it. Let's go for it.

**Mr Marchese:** I'd like to see how many Tory hands would go up for that volunteer program. You see, it is a most insulting thing to say to teachers, who have been so completely demoralized after the assaults year after year, "You are going to have mandatory testing and mandatory courses, because you're not good." Some 67% of the teachers have been taking courses voluntarily, and now you're saying to them, "Not good enough." Imagine. What other profession can claim to have 70% of its par-

ticipants engaged in courses on professional development, and this government says, "Not good enough. You will have mandatory courses." What a way to demoralize a system and a profession that has been whacked day in and day out.

But the member for Thornhill, I know, will convince me—or try to convince you, citizens, not me—that what they are doing is really cool, that what they're doing is going to make it a whole lot better, when if you're a parent you know it hasn't been the case.

I'm afraid that what they're doing to education in terms of giving dollars to private schools is the same as what they have done and continue to do with our hospitals and our health care system. The parallels are strikingly similar. The arguments are the same: competition is good, and it's as good in education as it is with our health care system. They now fund a private university where they claim that the competition will be good, where tuition fees will be double in the private university, the one my children and most other children in Ontario will not be able to attend because tuition fees will be extraordinarily high. But they claim and argue that that kind of competition is good. Sorry. The majority of you Ontarians will never be able to send the kids to those private schools because you won't be able to afford it, even if you wanted to send them. As a result, there is no competition.

You see the game? The politics of this has got to be exposed day in and day out. We do our best, because this is the only political forum we've got to engage you, the public, on these issues. We've got very few other forums when we sit here in the Legislative Assembly, and that's the only debate we get to have with you.

Now I pay attention to the member for Thornhill. I more or less told you what she and others are going to say. I hope you don't—

**The Acting Speaker:** Further debate.

**Mrs Tina R. Molinari (Thornhill):** It's certainly a challenge coming after the member opposite. As entertaining as he is in the delivery of his message, it certainly lacks the accuracy and what the philosophy of this government is. I'm going to speak on the topic which is being debated today rather than talking about all of the other bills that we've passed in this Legislature, and that's Bill 80, An Act to promote a stable learning environment and support teacher excellence.

Our government has laid out the key directions for continuing education reform. We have made several clear commitments for what we would do. We have been getting on with those commitments, moving forward to do what we said we would do, but also listening to the advice and input we have received on how best to proceed.

One of the key components of Ontario's plan for quality education includes a comprehensive teacher testing program to ensure that teachers keep developing and improving their skills.

Few people would disagree that doctors, lawyers, architects and other trusted professionals would have to

stay up to date in their skills and knowledge to continue to provide high-quality service. In Ontario, professional associations and self-regulated professions approach professional development and upgrading in a variety of ways. Some have provisions in place which set specific requirements for the renewal or maintenance of a professional certificate. Generally, these requirements must be met over a certain period of time, often three to five years. For some professions, failure to meet ongoing learning requirements could mean losing the right to a professional designation. Let me provide a few examples.

I have a friend who is an architect. He belongs to the Ontario Association of Architects, which has a mandatory continuing education requirement for all licensed members. Over a period of two years, members must complete a minimum 15 points, half of which must be taken from core professional renewal options and the other half from self-directed options.

The Royal College of Dental Surgeons of Ontario also requires its members to complete a mandatory program of professional development over a specific period of time. All members are required to obtain 90 points every three years through a range of educational experiences. Dental specialists must obtain at least half of those credits from programs linked to their area of specialization. A typical full-day program of professional development would be equivalent to six credit points. The Law Society of Upper Canada requires its members to provide information under continuing legal education activities.

1730

The point I'm trying to make is that the demand for quality assurance exists in many professions. In establishing ongoing professional learning requirements for their members, the professions I have just named, as well as many others, are responding to public expectations for quality and excellence. Their objective is to provide their clients with the assurance that all their members have the up-to-date knowledge and skills needed to provide high-quality service. That is what our government is trying to achieve with the mandatory teacher recertification program proposed in Bill 80.

Over the past six years, our government has been building a more rigorous, accountable, high-quality education system, one that will ensure our children's success for the future. We will only be able to fulfill and achieve this goal with the confidence that all members of the Ontario College of Teachers are up to date in their skills and knowledge.

Ongoing professional learning is not something new to the teaching profession in this province or to teachers of many jurisdictions. Teachers in other countries and provinces are also required to update their skills and knowledge. In Ontario, we have many excellent teachers who regularly update their skills and are committed to excellence. But parents want to know that all teachers, not just the large majority, have the skills and knowledge to help their children achieve the higher standards we have set for them.

That is why our government last year introduced the comprehensive Ontario teacher testing program. The program builds on supports and systems already in place to ensure that both new and experienced teachers have the up-to-date training, knowledge and skills to help students succeed and achieve higher standards.

Mandatory teacher recertification, as we are proposing in this bill, is an important element of our teacher testing program. It was a key election promise our government made in 1999, and was also recommended by the Royal Commission on Learning in its 1995 report, which received all-party support, I might add.

Building a system that ensures our children's success means preparing them for a world that is continuously changing. We will be even more driven by the technological changes and the competition that are coming up in today's and tomorrow's society.

All parents want to see their children succeed, and most would agree that the quality of their children's teachers can affect how well their children perform—whether a student has a difficult year in school or a rewarding and enriching one. Parents want to be assured that the teachers are properly trained and equipped to provide for the excellence we are demanding of the school system.

Parents want their children taught by teachers they know are well trained, knowledgeable and committed to continuous improvement, teachers they know will prepare their kids to compete and win in the world of today and tomorrow. Parents know that excellent teachers foster a passion for learning that students carry with them throughout their lives. A good teacher can also motivate and inspire their students to achieve things they never thought possible.

That is why, in designing and developing the details of our teacher testing program, we have consulted and continue to consult with parents and students, as well as teachers and all our education partners, including the Ontario College of Teachers. We have also drawn from experiences in other jurisdictions and extensive research on best practices in other professions.

It is a pleasure for me to speak on this very valuable piece of legislation this evening, legislation that I think should be supported by all parties, because it promotes excellence in our schools; it promotes accountability. I believe it's the right thing to do. We are fulfilling our commitment.

**Mr Dominic Agostino (Hamilton East):** I'm pleased to have a few minutes as part of this debate. When you look at the title of the bill, Mr Speaker, I find that if this wasn't such a serious issue, it would be great work for David Letterman here. This government, after six years of instability, brings in a bill called Stability and Excellence in Education Act.

This is a government that for the last six years has done nothing more than destabilize and cause chaos and crisis in our educational system. We've had six years of cuts, we've had six years of attacking teachers, demonizing teachers, creating chaos in the system, making

school boards evil individuals for trying to run the system, basically taking control of funding away from the school boards and then letting them be stuck with the fallout from this. So we've had six years of a government that has gone out of its way to make it an obsession to create instability, to "create a crisis"—the famous quote of a former education minister—and they've succeeded. They've created that crisis in order to get us to the point today where now they've gone to the next step.

We said four or five years ago, "Do you know where this is going to lead us? This is going to lead us to funding for private schools. This is going to lead to vouchers." And the government said at that time, "No, you're wrong. It's just the opposite. This is scaremongering. We will never do that." Six years later, there we are.

They talk about stability. When you look at the statistics, in the last five years there have been 1.7 million teaching days lost to strikes in Ontario. That is five times more than in the previous five years. Under this government, 1.7 million days have been lost in regard to strikes. When you look at it, last year 4,400 teachers left the profession for reasons other than retiring because they've been demoralized, they've been attacked, they've been beaten up by this government. As we've tried to attract teachers in Ontario, as we have a teacher shortage, 4,400 left the profession last year for reasons other than retiring.

That must tell you something about the climate this government has set for teaching and teachers in Ontario. They've cut \$2 billion out of education since taking office. Last year they claimed they increased by \$350 million in education, when in reality we saw in public accounts they reduced it by a further \$75 million.

Then they bring in this bill, a plan that supposedly is going to create stability in education, that's going to bring back extracurricular activities. They had an opportunity in December. My leader, Dalton McGuinty, and our education critic, Gerard Kennedy, put together a peace plan—one that was endorsed by all sides except this government—that would have created stability and would not have wasted another six or eight months where kids across Ontario went without extracurricular activities. But this government, in its usual partisan, stubborn way, refused to accept that plan.

What we see here today is a piece of legislation that forces boards into three-year contracts without knowing beyond next year, if they're lucky, the level of funding they actually receive from Ontario. So they sign three-year contracts, and then how do they meet those commitments if the government does not come through with the funding: larger classrooms, fewer teachers, fewer computers, fewer textbooks? So what this government is doing is creating another situation where for an extra three years boards are going to be stuck with a situation they can't control because this government is not going to give them enough money. But they have to sign three-year contracts.

If the government were serious about this, why would they not commit to stable funding for the next three years

for school boards across Ontario? Why wouldn't they tell school boards, "You sign three-year contracts, but here's how much funding we're going to give you for the next three years," so there's a level playing field and they have understanding? But they're not interested in this. They're interested in further destabilizing the education system in Ontario. So we can see an expansion of exactly what we've seen passed by this government yesterday, and that is a bill that will cost, at least in its first year of implementation, \$500 million out of public education being given to private schools, being given to rich, independent schools across Ontario, something this government said they would never do, something that Mike Harris made it clear in the leaders' debate he would never accept, something that Janet Ecker, the Minister of Education, made it clear in the response to the federal government and to our leader is unacceptable because it would take money out of the public education system. What did we see yesterday? A bill by this government that did exactly that.

A letter of January 13, 2000, from the minister to Minister Axworthy in regard to the United Nations resolution made it very clear, and the minister said, "As was set out in the submission to the UNHRC, extending funding religious private schools would result in fragmentation of the education system in Ontario and undermine the goal of universal access to education." That's not the opposition saying that, that's not some special interest group saying that; that is the current Minister of Education of Ontario who made these comments on January 13, 2000.

1740

What has changed in six months except that the Minister of Finance, in trying to further his ambitions to succeed Mike Harris as leader of that party, tried to shove his own agenda on the cabinet and on the people of Ontario? The Minister of Education and the rest of cabinet balked at it and we now have further chaos. Public education has always been the great equalizer. It meant that every child, regardless of background, regardless of where you came from, regardless of how much money your parents had, if you had the ability and the willingness, you could succeed in our public education system. This government has taken away that fundamental principle that we all have grown up believing in and that this province was formed and has been based on since we have been part of this great country of ours. If this government was serious about creating stability in public education, they would put back the money, the \$2 billion they took out of public education, they would decrease class sizes, they would create a better climate for teachers. This bill goes nowhere toward doing that.

We have a plan. Dalton McGuinty and the Liberals have a clear plan for education, a plan that Ontarians believe in and accept. We have made it clear that we do not support extending funding to private and religious schools and we have made it clear that if we're fortunate enough in two years to have the blessing of the people of Ontario to govern, we will reverse that decision and

change that. We will create stability in education by putting money back into the classroom, not into rich private schools, to make sure kids have textbooks, computers and smaller classes. This government should be ashamed of what it has done to destabilize public education in Ontario. The people of one riding in this province will have an opportunity tonight to judge this government's agenda. The people of Ontario will have an opportunity to judge in two years. The Liberal Party, under Dalton McGuinty, will bring back true stability in education in two years.

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** There is one thing that you can't take away from young people and that is they are willing and able and totally committed to teach in this province. This year we had 11,758 applicants to our teachers' colleges. In the last three years we have increased the number of spaces by 150 seats. All I can say is that I am actually correcting the record, in a sense, of the member for Timmins-James Bay, because I think the young people who are looking to their careers in education should know that there is room for lots of new blood in our education system.

Just like when I began teaching in the late 1950s and early 1960s, we are in a time of transition. The other thing we're in transition regarding is that over the last 10 or 15 years the public and parents have been crying out for standards, new curriculum and a renewed enthusiasm in our public school system. Change has been very difficult. It's been difficult for the government and the teachers some days to manage. But I know that with those new textbooks, the new curriculum, these bright young teachers, plus many of the mentors who are still there working hard, this legislation today hopefully is the kind of compromise that we can make with our teachers and with our school system so that the extracurricular activities will return to our students, because in fact we all know that our young people go to school to learn but they also go to school to have many friends and be involved in sports and music.

I just wanted to appear a little more optimistic than some of the opposition speakers today. As a former teacher, I'm very pleased about the changes in curriculum and standards.

**The Acting Speaker:** Pursuant to an order of the House dated June 27, 2001, I will put the question. Mrs Ecker has moved third reading of Bill 80, An Act to promote a stable learning environment and support teacher excellence. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1745 to 1750.*

**The Acting Speaker:** All those in favour will please rise one at a time and be recognized by the Clerk.

## Ayes

Amott, Ted	Hardeman, Ernie	Ouellette, Jerry J.
Baird, John R.	Hastings, John	Sampson, Rob
Barrett, Toby	Hudak, Tim	Spina, Joseph
Beaubien, Marcel	Johns, Helen	Sterling, Norman W.
Chudleigh, Ted	Klees, Frank	Stewart, R. Gary
Clark, Brad	Marland, Margaret	Stockwell, Chris
Clement, Tony	Martiniuk, Gerry	Tascona, Joseph N.
Cunningham, Dianne	Maves, Bart	Tilson, David
DeFaria, Carl	Mazzilli, Frank	Tsubouchi, David H.
Dunlop, Garfield	Miller, Norm	Tumbull, David
Ecker, Janet	Molinari, Tina R.	Wettlaufer, Wayne
Elliott, Brenda	Murdoch, Bill	Wilson, Jim
Galt, Doug	Mushinski, Marilyn	Witmer, Elizabeth
Gilchrist, Steve	Newman, Dan	Wood, Bob
Gill, Raminder	O'Toole, John	Young, David
Guzzo, Garry J.		

**The Acting Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

## Nays

Agostino, Dominic	Dombrowsky, Leona	Marchese, Rosario
Bartolucci, Rick	Duncan, Dwight	Martel, Shelley
Bisson, Gilles	Hampton, Howard	Martin, Tony
Bountrogianni, Marie	Kennedy, Gerard	Peters, Steve
Boyer, Claudette	Kormos, Peter	Phillips, Gerry
Cordiano, Joseph	Lalonde, Jean-Marc	Ruprecht, Tony
Di Cocco, Caroline	Levac, David	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 46; the nays are 20.

**The Acting Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

## MPP COMPENSATION REFORM ACT (ARM'S LENGTH PROCESS), 2001

## LOI DE 2001 PORTANT RÉFORME DE LA RÉTRIBUTION DES DÉPUTÉS (PROCESSUS SANS LIEN DE DÉPENDANCE)

Mr Tsubouchi moved third reading of the following bill:

Bill 82, An Act to amend the Legislative Assembly Act to provide an arm's length process to determine members' compensation / Projet de loi 82, Loi modifiant la Loi sur l'Assemblée législative pour établir un processus sans lien de dépendance permettant de fixer la rétribution des députés.

**The Acting Speaker (Mr Bert Johnson):** Pursuant to the order of the House dated June 26, I am now required to put the question.

Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it. Call in the members. This will be a five-minute bell.

*The division bells rang from 1755 to 1800.*

**The Acting Speaker:** All those in favour will please rise one at a time and be recognized by the Clerk.

**Ayes**

Agostino, Dominic	Gilchrist, Steve	O'Toole, John
Armott, Ted	Gill, Raminder	Ouellette, Jerry J.
Baird, John R.	Guzzo, Garry J.	Phillips, Gerry
Barrett, Toby	Hardeman, Ernie	Ruprecht, Tony
Beaubien, Marcel	Hastings, John	Sampson, Rob
Bountrogianni, Marie	Hodgson, Chris	Spina, Joseph
Boyer, Claudette	Hudak, Tim	Sterling, Norman W.
Chudleigh, Ted	Johns, Helen	Stewart, R. Gary
Clark, Brad	Klees, Frank	Stockwell, Chris
Clement, Tony	Lalonde, Jean-Marc	Tascona, Joseph N.
Cordiano, Joseph	Levac, David	Tilson, David
Cunningham, Dianne	Marland, Margaret	Tsubouchi, David H.
DeFaria, Carl	Martiniuk, Gerry	Tumbull, David
Di Cocco, Caroline	Maves, Bart	Wettlaufer, Wayne
Dombrowsky, Leona	Mazzilli, Frank	Wilson, Jim
Duncan, Dwight	Miller, Norm	Witmer, Elizabeth
Dunlop, Garfield	Molinari, Tina R.	Wood, Bob
Ecker, Janet	Murdoch, Bill	Young, David
Elliott, Brenda	Mushinski, Marilyn	
Galt, Doug	Newman, Dan	

**The Acting Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

**Nays**

Bisson, Gilles	Kormos, Peter	Martin, Tony
Hampton, Howard	Marchese, Rosario	
Kennedy, Gerard	Martel, Shelley	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 58; the nays are 7.

**The Acting Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

## GOVERNMENT EFFICIENCY ACT, 2001

LOI DE 2001 SUR L'EFFICIENCE  
DU GOUVERNEMENT

Mr Sterling moved third reading of the following bill:

Bill 57, An Act to promote government efficiency and to improve services to taxpayers by amending or repealing certain Acts / Projet de loi 57, Loi visant à favoriser l'efficacité du gouvernement et à améliorer les services aux contribuables en modifiant ou en abrogeant certaines lois.

**The Acting Speaker (Mr Bert Johnson):** Pursuant to the order of the House dated June 20, 2001, I am now required to put the question.

Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1803 to 1809.*

**The Acting Speaker:** All those in favour will please rise one at a time and be recognized by the Clerk.

**Ayes**

Armott, Ted	Hardeman, Ernie	Ouellette, Jerry J.
Baird, John R.	Hastings, John	Sampson, Rob
Barrett, Toby	Hodgson, Chris	Spina, Joseph
Beaubien, Marcel	Hudak, Tim	Sterling, Norman W.

Chudleigh, Ted	Johns, Helen	Stewart, R. Gary
Clark, Brad	Klees, Frank	Stockwell, Chris
Clement, Tony	Marland, Margaret	Tascona, Joseph N.
Cunningham, Dianne	Martiniuk, Gerry	Tilson, David
DeFaria, Carl	Maves, Bart	Tsubouchi, David H.
Dunlop, Garfield	Mazzilli, Frank	Tumbull, David
Ecker, Janet	Miller, Norm	Wettlaufer, Wayne
Elliott, Brenda	Molinari, Tina R.	Wilson, Jim
Galt, Doug	Murdoch, Bill	Witmer, Elizabeth
Gilchrist, Steve	Mushinski, Marilyn	Wood, Bob
Gill, Raminder	Newman, Dan	Young, David
Guzzo, Garry J.	O'Toole, John	

**The Acting Speaker:** All those opposed will please rise one at a time and be recognized by the Clerk.

**Nays**

Agostino, Dominic	Dombrowsky, Leona	Marchese, Rosario
Bartolucci, Rick	Duncan, Dwight	Martel, Shelley
Bisson, Gilles	Hampton, Howard	Martin, Tony
Bountrogianni, Marie	Kennedy, Gerard	Peters, Steve
Boyer, Claudette	Kormos, Peter	Phillips, Gerry
Cordiano, Joseph	Lalonde, Jean-Marc	Ruprecht, Tony
Di Cocco, Caroline	Levac, David	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 47; the nays are 20.

**The Acting Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

**Hon Janet Ecker (Minister of Education, Government House Leader):** Mr Speaker, I seek unanimous consent to call the orders for second and third readings on Bill Pr4, Bill Pr7, Bill Pr8, Bill Pr9, Bill Pr11, Bill Pr12, Bill Pr13, Bill Pr14, Bill Pr16, Bill Pr17, Bill Pr18, Bill Pr19 and Pr20 so that they may be moved and considered concurrently, and to proceed with second and third readings of Bill Pr13, notwithstanding that it has not been reprinted.

**The Acting Speaker:** Is there consent? It is agreed.

## CITY OF ELLIOT LAKE ACT, 2001

Mr Duncan, on behalf of Mr Brown, moved second reading of the following bill:

Bill Pr4, An Act respecting the City of Elliot Lake.

**The Acting Speaker (Mr Bert Johnson):** Is it the pleasure of the House that the motion carry? Carried.

Mr Duncan, on behalf of Mr Brown, moved third reading of the following bill:

Bill Pr4, An Act respecting the City of Elliot Lake.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

PREMIUM AUTO  
COLLISION INC. ACT, 2001

Mr Hastings moved second reading of the following bill:

Bill Pr7, An Act to revive Premium Auto Collision Inc.

**The Acting Speaker (Mr Bert Johnson):** Is it the pleasure of the House that the motion carry? It is carried.

Mr Hastings moved third reading of the following bill:  
Bill Pr7, An Act to revive Premium Auto Collision Inc.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry? It is carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

#### 1072550 ONTARIO LIMITED ACT, 2001

Mr Duncan, on behalf of Mr Smitherman, moved second reading of the following bill:

Bill Pr8, An Act to revive 1072550 Ontario Limited.

**The Acting Speaker (Mr Bert Johnson):** Is it the pleasure of the House that the motion carry? It is carried.

Mr Duncan, on behalf of Mr Smitherman, moved third reading of the following bill:

Bill Pr8, An Act to revive 1072550 Ontario Limited.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

#### TOWN OF NEWMARKET ACT, 2001

Mr Dunlop, on behalf of Mrs Munro, moved second reading of the following bill:

Bill Pr9, An Act respecting the Town of Newmarket.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Mr Dunlop, on behalf of Mrs Munro, moved third reading of the following bill:

Bill Pr9, An Act respecting the Town of Newmarket.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

#### NIAGARA CENTRAL AIRPORT COMMISSION ACT, 2001

Mr Kormos moved second reading of the following bill:

Bill Pr11, An Act to amend The Welland-Port Colborne Airport Act, 1976.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Mr Kormos moved third reading of the following bill:

Bill Pr11, An Act to amend The Welland-Port Colborne Airport Act, 1976.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

#### MASTER'S COLLEGE AND SEMINARY ACT, 2001

Mr Stewart moved second reading of the following bill:

Bill Pr12, An Act respecting Master's College and Seminary (formerly Eastern Pentecostal Bible College).

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Mr Stewart moved third reading of the following bill:

Bill Pr12, An Act respecting Master's College and Seminary (formerly Eastern Pentecostal Bible College).

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

#### THE BOYS' HOME ACT, 2001

Mr Kormos, on behalf of Ms Churley, moved second reading of the following bill:

Bill Pr13, An Act respecting The Boys' Home.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Mr Kormos, on behalf of Ms Churley, moved third reading of the following bill:

Bill Pr13, An Act respecting The Boys' Home.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

1820

#### 1150982 ONTARIO INC. ACT, 2001

Mr Spina moved second reading of the following bill:

Bill Pr14, An Act to revive 1150982 Ontario Inc.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Mr Spina moved third reading of the following bill:

Bill Pr14, An Act to revive 1150982 Ontario Inc.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

#### 1252563 ONTARIO LIMITED ACT, 2001

Mr Marchese moved second reading of the following bill:

Bill Pr16, An Act to revive 1252563 Ontario Limited.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Mr Marchese moved third reading of the following bill:

Bill Pr16, An Act to revive 1252563 Ontario Limited.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

#### RDP COMPUTER CONSULTING INC. ACT, 2001

Mrs Molinari moved second reading of the following bill:

Bill Pr17, An Act to revive RDP Computer Consulting Inc.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Mrs Molinari moved third reading of the following bill:

Bill Pr17, An Act to revive RDP Computer Consulting Inc.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

#### CONRAD GREBEL UNIVERSITY COLLEGE ACT, 2001

Mr Arnott moved second reading of the following bill:  
Bill Pr18, An Act respecting Conrad Grebel University College.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Mr Arnott moved third reading of the following bill:

Bill Pr18, An Act respecting Conrad Grebel University College.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

#### 569924 ONTARIO LIMITED ACT, 2001

Mr Duncan, on behalf of Mr Parsons, moved second reading of the following bill:

Bill Pr19, An Act to revive 569924 Ontario Limited.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Mr Duncan, on behalf of Mr Parsons, moved third reading of the following bill:

Bill Pr19, An Act to revive 569924 Ontario Limited.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

#### CITY OF TORONTO ACT (HERITAGE PROPERTIES), 2001

Mrs Mushinski moved second reading of the following bill:

Bill Pr20, An Act respecting the City of Toronto.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Mrs Mushinski moved third reading of the following bill:

Bill Pr20, An Act respecting the City of Toronto.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

**Hon Janet Ecker (Minister of Education, Government House Leader):** Mr Speaker, I would like to ask for unanimous consent for a 15-minute recess. We are attempting to finalize arrangements for private members' bills and I would like a 15-minute recess to do that, please.

**The Speaker:** Is there unanimous consent? Agreed. This House stands recessed until 6:45 pm.

*The House recessed from 1828 to 1843.*

**The Speaker:** The government House leader.

**Hon Mrs Ecker:** Mr Speaker, I am seeking unanimous consent for a series of bills. I will go slowly. We have shared wording with all the different parties. There may well be some minor, editorial changes from the Clerk, so we shall go through this slowly.

I seek unanimous consent to call second reading of Bill 56, An Act to encourage the revitalization of contaminated land and to make other amendments relating to environmental matters, and to have the question put immediately thereon without further debate or amendments, and upon passage of the bill, to have it referred to the standing committee on general government, and that the committee be authorized to meet during the summer adjournment for up to one week to examine and inquire into the bill; and

To call second and third reading of Bill 66, An Act to amend The Wilfrid Laurier University Act, 1973, and to have the question put immediately thereon without further debate or amendment; and

To call second and third reading of Bill 71, An Act to repeal the Homes for Retarded Persons Act, amend the Developmental Services Act and make related amendments to other statutes, and to have the question put immediately thereon without further debate or amendment; and

To have the question put without further debate or amendment on the motion relating to a select committee on alternative fuels; and

For the order of Bill 59, An Act to amend the Police Services Act, to be immediately discharged from the standing committee on justice and social policy and immediately called for third reading, with up to five minutes of debate for each party, at which time the Speaker will interrupt the proceedings to have the question put immediately on third reading without further debate or amendment and without any deferral of the vote; and

To call third reading of Bill 12, An Act to increase the safety of equestrian riders, and to have the question put immediately thereon without further debate or amendment; and

To call second reading of Bill 51, An Act to help save the lives of Ontarians who suffer from cardiac arrest by promoting the widespread availability and use of portable heart defibrillators in public places, and to have the question put immediately thereon without further debate or amendment, and upon passage of second reading have the bill referred to the standing committee on justice and social policy, and that the committee shall sit for two days with one additional day for clause-by-clause consideration of the bill; and

To discharge Bill 34, An Act to amend the Occupational Health and Safety Act to increase the penalties for contraventions of the Act and regulations, from committee and to recommit to the standing committee on general government for one day of hearings; and

To call second reading of Bill 77, An Act to amend the Vital Statistics Act and the Child and Family Services Act in respect of Adoption Disclosure, and to have the question put immediately thereon without further debate or amendment, and upon passage of second reading have the bill referred to the standing committee on general government for four days in Toronto; and

For each recorded division on any of these matters bells be limited to five minutes.

**The Speaker:** Is there unanimous—do you want me to read it?

**Mr Peter Kormos (Niagara Centre):** Please.

**The Speaker:** OK, if I may. Dispense? No.

Mrs Ecker seeks unanimous consent to call second reading of Bill 56, An Act to encourage the revitalization of contaminated land and to make other amendments relating to environmental matters, and to have the question put immediately thereon without further debate or amendment, and upon passage of the bill, to have it referred to the standing committee on general government, and that the committee be authorized to meet during the summer adjournment for up to one week to examine and inquire into the bill; and

To call second and third reading of Bill 66, An Act to amend The Wilfrid Laurier University Act, 1973, and to have the question put immediately thereon without further debate or amendment; and

To call second and third reading of Bill 71, An Act to repeal the Homes for Retarded Persons Act, amend the Developmental Services Act and make related amendments to other statutes, and to have the question put immediately thereon without further debate or amendment; and

To have the question put without further debate or amendment on the motion relating to a select committee on alternative fuels; and

For the order of Bill 59, An Act to amend the Police Services Act, to be immediately discharged from the standing committee on justice and social policy and immediately called for third reading, with up to five minutes of debate for each party, at which time the Speaker will interrupt the proceedings to have the question put immediately on third reading without further debate or amendment and without any deferral of the vote; and

To call third reading of Bill 12, An Act to increase the safety of equestrian riders, and to have the question put immediately thereon without further debate or amendment; and

To call second reading of Bill 51, An Act to help save the lives of Ontarians who suffer from cardiac arrest by promoting the widespread availability and use of portable heart defibrillators in public places, and to have the question put immediately thereon without further debate or amendment, and upon passage of second reading have the bill referred to the standing committee on justice and social policy, and that the committee shall sit for two days with one additional day for clause-by-clause consideration of the bill; and

To discharge Bill 34, An Act to amend the Occupational Health and Safety Act to increase the penalties for contraventions of the Act and regulations, from committee and to recommit to the standing committee on general government for one day of hearings; and

To call second reading of Bill 77, An Act to amend the Vital Statistics Act and the Child and Family Services Act in respect of Adoption Disclosure, and to have the question put immediately thereon without further debate or amendment, and upon passage of second reading have the bill referred to the standing committee on general government for four days in Toronto; and

If there is a recorded division on any of these matters, that the division bells will be limited to five minutes.

Is there unanimous consent? Agreed.

1850

## BROWNFIELDS STATUTE LAW AMENDMENT ACT, 2001

### LOI DE 2001 MODIFIANT DES LOIS EN CE QUI CONCERNE LES FRICHES CONTAMINÉES

Mrs Ecker, on behalf of Mr Hodgson, moved second reading of the following bill:

Bill 56, An Act to encourage the revitalization of contaminated land and to make other amendments relating to environmental matters / Projet de loi 56, Loi visant à encourager la revitalisation des terrains contaminés et apportant d'autres modifications se rapportant à des questions environnementales.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

The bill is referred to the standing committee on general government.

WILFRID LAURIER UNIVERSITY  
AMENDMENT ACT, 2001

LOI DE 2001  
MODIFIANT LA LOI INTITULÉE  
THE WILFRID LAURIER UNIVERSITY ACT

Mrs Ecker, on behalf of Mrs Cunningham, moved second reading of the following bill:

Bill 66, An Act to amend The Wilfrid Laurier University Act, 1973 / Projet de loi 66, Loi modifiant la loi intitulée The Wilfrid Laurier University Act, 1973.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Mrs Ecker, on behalf of Mrs Cunningham, moved third reading of the following bill:

Bill 66, An Act to amend The Wilfrid Laurier University Act, 1973 / Projet de loi 66, Loi modifiant la loi intitulée The Wilfrid Laurier University Act, 1973.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

HOMES FOR RETARDED PERSONS  
REPEAL ACT, 2001

LOI DE 2001 ABROGEANT  
LA LOI SUR LES FOYERS  
POUR DÉFICIENTS MENTAUX

Mr Baird moved second reading of the following bill:

Bill 71, An Act to repeal the Homes for Retarded Persons Act, amend the Developmental Services Act and make related amendments to other statutes / Projet de loi 71, Loi abrogeant la Loi sur les foyers pour déficients mentaux, modifiant la Loi sur les services aux personnes atteintes d'un handicap de développement et apportant des modifications connexes à d'autres lois.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** I thank all members from all sides. That's an excellent example of where we can work together.

Mr Baird moved third reading of the following bill:

Bill 71, An Act to repeal the Homes for Retarded Persons Act, amend the Developmental Services Act and make related amendments to other statutes / Projet de loi 71, Loi abrogeant la Loi sur les foyers pour déficients mentaux, modifiant la Loi sur les services aux personnes atteintes d'un handicap de développement et apportant des modifications connexes à d'autres lois.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

SELECT COMMITTEE ON  
ALTERNATIVE FUEL SOURCES

**Hon Janet Ecker (Minister of Education, Government House Leader):** I move that a select committee on alternative fuel sources be appointed to investigate, report, and recommend ways of supporting the development and application of environmentally friendly, sustainable alternatives to our existing fossil fuel sources;

That the membership of the committee be composed of the following members: Doug Galt (Chair), Marie Bountrogianni (Vice-Chair), Jim Bradley, Marilyn Churley, Steve Gilchrist, John Hastings, John O'Toole, Jerry Ouellette, and Ernie Parsons;

That the committee have the authority to meet concurrently with the House and during any adjournment of the House;

That the committee be encouraged to employ a staff person or persons, reporting to the committee through the Chair, to assist the committee in fulfilling its mandate;

That the committee shall have the power to hear witnesses, to commission reports relevant to the terms of reference, to employ staff and to adjourn from place to place in North America and abroad as the committee may deem advisable, subject to normal budget approval from the Board of Internal Economy;

That, at its discretion, the committee have the authority to issue interim reports; and

That the committee submit its final report to the assembly before the end of May 2002, and that if the House is not sitting, the committee have the authority to release its report by depositing a copy of it with the Clerk of the assembly and upon resumption of the sittings of the House, the Chair of the committee shall present such report to the House in accordance with the standing orders.

**The Speaker (Hon Gary Carr):** Mrs Ecker has moved—

**Interjection:** Dispense.

**Interjection:** No.

**The Speaker:** I'll read it through—that a select committee on alternative fuel sources be appointed to investigate, report, and recommend ways of supporting the development and application of environmentally friendly, sustainable alternatives to our existing fossil fuel sources;

That the membership of the committee be composed of the following members: Doug Galt (Chair), Marie Bountrogianni (Vice-Chair), and Jim Bradley, Marilyn Churley, Steve Gilchrist, John Hastings, John O'Toole, Jerry Ouellette, and Ernie Parsons;

That the committee have the authority to meet concurrently with the House and during any adjournment of the House;

That the committee be encouraged to employ a staff person or persons, reporting to the committee through the Chair, to assist the committee in fulfilling its mandate;

That the committee shall have the power to hear witnesses, to commission reports relevant to the terms of reference, to employ staff, and to adjourn from place to place in North America and abroad as the committee may

deem advisable, subject to normal budget approval from the Board of Internal Economy;

That, at its discretion, the committee have the authority to issue interim reports; and

That the committee submit its final report to the assembly before the end of May 2002, and that if the House is not sitting, the committee have the authority to release its report by depositing a copy of it with the Clerk of the assembly and upon resumption of the sittings of the House, the Chair of the committee shall present such report to the House in accordance with the standing orders.

Is it the pleasure of the House that the motion carry? Carried.

#### POLICE SERVICES AMENDMENT ACT, 2001

#### LOI DE 2001 MODIFIANT LA LOI SUR LES SERVICES POLICIERS

Mr Tilson moved third reading of the following bill:

Bill 59, An Act to amend the Police Services Act /  
Projet de loi 59, Loi modifiant la Loi sur les services  
policiers.

**Hon Janet Ecker (Minister of Education, Government House Leader):** Mr Speaker, each party will speak for up to five minutes.

**The Speaker (Hon Gary Carr):** The member for Dufferin-Peel-Wellington-Grey.

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** This is a private member's bill. The bill was debated in the House for second reading on June 14 and received unanimous approval of the House. Essentially what this bill does is amend the Police Services Act, specifically section 5.

Under the current Police Services Act, a municipality must choose one of six delivery alternatives: (1) maintain its own police service; (2) contract with an adjacent municipality for police services; (3) contract with the Ontario Provincial Police, either alone or jointly with one or more municipalities; (4) amalgamate its existing police service with one or more municipal police services; (5) form a joint police service with one or more municipalities; or (6) adopt another method approved by the Ontario Civilian Commission on Police Services.

Originally, when I started to research this specific bill, it was mainly with respect to the town of Caledon. The town of Caledon is governed by the Ontario Provincial Police. The rest of Peel, which is generally the south half of Peel, is governed by the Peel regional police force. Under section 5 of the Police Services Act, that can't happen, notwithstanding the fact that policing in Caledon is quite different from policing in Mississauga.

I introduced the bill provincially because I discovered it affected a number of areas. It affected the area of my friend from Bruce-Grey, Mr Murdoch; it affected Sudbury; it affected Timmins; it affected Kenora; it affected the Kawartha Lakes. I know it affected those areas

specifically. I therefore changed the philosophy of the bill to cover the entire province.

#### 1900

All of the options that I referred to require a single provider or delivery agent per jurisdiction. That's what the Police Services Act now allows for. Bill 59, the bill before us tonight, provides more flexibility in police service by adding the option of what is commonly known as hybrid policing. That is what this bill has been known for. In case some of you don't know what hybrid policing is, it's an arrangement that allows more than one police service to provide services to different areas within a single municipality.

There are three criteria that could be established for hybrid policing. The first is in municipalities with remote or dispersed communities. Examples of that are Sudbury and Timmins; Mr Bartolucci has spoken on that during second reading. The second is in municipalities with historical policing relationships. An example is the riding that I represent, which is Caledon, another example is Kenora and finally the Kawartha Lakes or the Lindsay area. The third criterion is one that provides governance by a single police services board in a hybrid police arrangement except in section 5.1, a municipality with no contract and therefore no police services board.

I believe this bill is going to save jurisdictions in this province a lot of funding. The best example is Sudbury. Sudbury estimates that it's going to save that area \$2 million in additional costs should the Sudbury police be required to service outlying areas. This bill clarifies that. The bill will allow relevant communities to retain police services with which they are comfortable and allow them to avoid potential divisiveness or amalgamation or disbandment. An example again is the riding that I represent, which is Caledon and the area of Lindsay.

I would ask that the House support this piece of legislation as it did during second reading. It's good for Ontario, it's good for policing, it's good municipalities, it's good for the people of Ontario.

**Mr Dave Levac (Brant):** I will confirm indeed that all three parties provided unanimous consent on second reading, quite frankly, with the lead of the member for Sudbury. Mr Rick Bartolucci indicated the positive side of the bill. The hybrid bill does bring to mind the fact that community policing is the issue here. I dare say it should not be solely an exercise of fundraising. I have spoken to the Solicitor General and pointed out to him several occasions on which we have funding collection problems. These need to be evaluated very clearly in terms of equity across the province. Having spoken very clearly, we are in support of the hybrid bill, but it should not be used solely as a fund-saving issue. It's to focus community policing in the right direction. It shouldn't be seen as a foothold for any one particular force to get hold in the province, to be step 1, step 2, step 3 in creating a larger force that the municipalities themselves do not want. The care and concern that I've issued to the Solicitor General I hope is taken very seriously, about the types of funding that I pointed out to him were downfalls

that were happening already in our province. With the acceptance of hybrid policing, I hope it does not create a situation where we see even more problems escalate further than I've already pointed out to the Solicitor General.

All in all, we are supportive of hybrid policing. We understand that the municipalities named before are in favour of them, but I will tell you, in my travels across the province I have spoken to some police chiefs who are very concerned about this being a first step for dominance of any one particular police force, and that should never be seen across the province as anything that we want except for what community policing represents in our communities as we see fit to create.

Does it have a good, strong acceptance by our party? Yes, it does. But the issue I'm making now is to make sure it doesn't turn into a double-edged sword where communities across the province may be coming back to the Solicitor General and saying, "This is not what we wanted with hybrid policing," making sure that it doesn't happen. I challenge the Solicitor General to make sure those funding issues that I brought to his attention get addressed, because there are inequities already taking place in this province because of funding issues. I would hope that gets dealt with immediately.

**Mr Peter Kormos (Niagara Centre):** I'm pleased to have a chance to speak to the bill, albeit for five minutes. Our leader, Howard Hampton, spoke to this at private members' business when the bill was presented for second reading. Howard Hampton outlined the scenario, first as it applies to where he comes from, in Kenora. He spoke to it. Part of this bill is a cleanup from the mess this government made when it forced megacities, merged municipalities, on a whole bunch of those primarily northern but not solely northern communities. This is part of the bill; it's part of the cleanup.

That Mr Tilson should be given a broom and a dustpan instead of the cabinet position he deserves beats me, but I respect the fact that at the end of the day he's the guy who came in to do the cleanup, as he has explained it to me—and I'm grateful to Mr Tilson for the information he has provided to me for the Caledon area; part of his bailiwick is one of the areas impacted—in terms of being the historical communities that have this split or bifurcated policing system.

I spoke with Doug Farrell from the Timmins police. I appreciate the opportunity to speak with him via his MPP, Gilles Bisson, who has worked very hard with me in terms of trying to assess this bill, analyze it and see where it's fitting in. I spoke with Richard Frayne, from the Niagara Regional Police Association, and again I thank Richard Frayne for his input. And I spoke to the chief of police from Sudbury, with the assistance of Shelley Martel.

The problem is, when I talk to my police association down in Niagara, they've never heard of the bill. That's part of the problem. Again, no disrespect to the author of the bill; one doesn't and couldn't have any real quarrel

with the historical realities being acknowledged by the bill.

You know, sir, that there has been some interesting raiding—no, perhaps that's an unfair word. There have been some municipal police forces that have found themselves competing with the OPP—the Solicitor General knows what I'm talking about—when the OPP have offered themselves up to that municipality as an alternative for contract police service. I find that regrettable. I find the instances that I'm familiar with, where the OPP have created this competition between the municipal/regional police and the Ontario Provincial Police, fighting for the same policing venue, extremely unfortunate. I wish the OPP weren't put into that position by this government's—Mr Runciman's—amendments to the Police Services Act, which we opposed some time ago. The fact is it's there.

The second part of the bill that causes concern is the one that doesn't just recognize the status quo but facilitates and encourages an increased encroachment by Ontario Provincial Police into traditional municipal policing areas. I understand the rationale, and I think most police officers do. I'm talking, of course, to municipal/regional police officers and their associations. I understand the need to have this in the five regions, I believe it is, the five areas to which it applies currently.

All I can tell you is that we all better be incredibly vigilant about ensuring that the government of Ontario, as provider of contract police services—because one of our fears when we saw the raiding of municipal police forces—that may be an unfortunate word, but it's nonetheless one I'll stick with—we saw the government conducting itself as if it was in business, providing policing services.

The concern that I have, the concern that municipal police officers have, among other things, is the fact that the OPP can come in there and can low-ball the community stuck with them, and then a year, two years, three years down the road it's no longer \$90 a household; it's \$100, \$110, \$120. That sucks. It's very similar to what you people are doing to public education. Every buck you take out of public education to spend on private schools means less money for public education. You don't have to be a rocket scientist to figure that out.

#### 1910

Police forces and police associations are concerned with the OPP encroachment on their turf, and then the seizure of that, the entrenchment of the OPP with the prospect of increases in contract prices. The region is stuck with the OPP doing that policing. If OPP contract prices go up, that means that municipal police officers have an even bigger fight with already cash-strapped municipal and regional councils.

We are cautiously supporting this legislation. We will be monitoring it, as I'm sure Mr Tilson will, to see whether the intent and the impact is as intended by the legislation.

**The Speaker:** Mr Tilson has moved third reading of Bill 59. Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

HORSE RIDING SAFETY ACT, 2001  
LOI DE 2001 SUR LA SÉCURITÉ  
DES CAVALIERS

Mrs Molinari moved third reading of the following bill:

Bill 12, An Act to increase the safety of equestrian riders / Projet de loi 12, Loi visant à accroître la sécurité des cavaliers.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

PORTABLE HEART  
DEFIBRILLATOR ACT, 2001  
LOI DE 2001 SUR LES DÉFIBRILLATEURS  
CARDIAQUES PORTATIFS

Mr Duncan, on behalf of Mr Colle, moved second reading of the following bill:

Bill 51, An Act to help save the lives of Ontarians who suffer from cardiac arrest by promoting the widespread availability and use of portable heart defibrillators in public places / Projet de loi 51, Loi visant à contribuer à sauver la vie des Ontariens qui souffrent d'un arrêt cardiaque en promouvant la disponibilité et l'usage généralisés de défibrillateurs cardiaques portatifs dans les lieux publics.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The bill is referred to the standing committee on justice and social policy.

REFERRAL OF BILL 34

**Mr Dominic Agostino (Hamilton East):** I move to discharge Bill 34, An Act to amend the Occupational Health and Safety Act to increase the penalties for contraventions of the Act and regulations, from committee and to recommend it to the standing committee on general government for one day of hearings.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

ADOPTION DISCLOSURE  
STATUTE LAW AMENDMENT ACT, 2001  
LOI DE 2001 MODIFIANT DES LOIS EN CE  
QUI CONCERNE LA DIVULGATION DE  
RENSEIGNEMENTS SUR LES ADOPTIONS

Mr Kormos, on behalf of Ms Churley, moved second reading of the following bill:

Bill 77, An Act to amend the Vital Statistics Act and the Child and Family Services Act in respect of Adoption Disclosure / Projet de loi 77, Loi modifiant la Loi sur les statistiques de l'état civil et la Loi sur les services à l'enfance et à la famille en ce qui concerne la divulgation de renseignements sur les adoptions.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Peter Kormos (Niagara Centre):** I move that Bill 77, having carried in second reading, be referred to the standing committee on general government for four days of meeting time in Toronto.

**The Speaker:** The bill is so referred.

Government House leader.

**Hon Janet Ecker (Minister of Education, Government House Leader):** One final item: I seek unanimous consent to call second reading of Bill 14, An Act to encourage awareness of the need for the early detection and treatment of brain tumours, to have the question put immediately thereon without further debate or amendment and, upon passage of second reading, have the bill referred to the standing committee on justice and social policy.

**The Speaker:** Do we have unanimous consent? Agreed.

**Mr Bob Wood (London West):** Before I make this motion, I'd like to thank all three parties for their help in respect to this bill.

BRAIN TUMOUR  
AWARENESS MONTH ACT, 2001  
LOI DE 2001 SUR LE MOIS  
DE LA SENSIBILISATION  
AUX TUMEURS CÉRÉBRALES

Mr Wood moved second reading of the following bill:

Bill 14, An Act to encourage awareness of the need for the early detection and treatment of brain tumours / Projet de loi 14, Loi visant à favoriser la sensibilisation à la nécessité du dépistage et du traitement précoces des tumeurs cérébrales.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

**Hon Janet Ecker (Minister of Education, Government House Leader):** Mr Speaker, I move adjournment of the House. No. Sorry. No, I don't. We've got to send it to committee.

**Mr Bob Wood (London West):** I ask that this bill be referred to the standing committee on justice.

**The Speaker:** Agreed? Agreed.

**Hon Mrs Ecker:** We'll try again: Mr Speaker, I move adjournment of the House.

**The Speaker:** All those in favour will please say aye. Carried.

This House stands adjourned until September 24 at 1:30 of the clock.

*The House adjourned at 1920.*





**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenante-gouverneure: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Agostino, Dominic (L)	Hamilton East / -Est	chief opposition whip / whip en chef de l'opposition
Arnott, Ted (PC)	Waterloo-Wellington	Parliamentary assistant to the Minister of the Environment / adjoint parlementaire à la ministre de l'Environnement
<b>Baird, Hon / L'hon John R. (PC)</b>	Nepean-Carleton	Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué au dossier de l'Enfance, ministre délégué aux Affaires francophones
Barrett, Toby (PC)	Haldimand-Norfolk-Brant	Parliamentary assistant to the Minister of Natural Resources / adjoint parlementaire au ministre des Richesses naturelles
Bartolucci, Rick (L)	Sudbury	deputy opposition House leader / chef parlementaire adjoint de l'opposition
Beaubien, Marcel (PC)	Lambton-Kent-Middlesex	
Bisson, Gilles (ND)	Timmins-James Bay / Timmins-Baie James	
Bountrogianni, Marie (L)	Hamilton Mountain	
Boyer, Claudette (Ind)	Ottawa-Vanier	
Bradley, James J. (L)	St Catharines	
<b>Brown, Michael A. (L)</b>	Algoma-Manitoulin	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président de la Chambre et Président du Comité plénier de l'Assemblée législative
Bryant, Michael (L)	St Paul's	
Caplan, David (L)	Don Valley East / -Est	deputy opposition whip / whip adjoint de l'opposition
<b>Carr, Hon / L'hon Gary (PC)</b>	Oakville	Speaker / Président
Christopherson, David (ND)	Hamilton West / -Ouest	
Chudleigh, Ted (PC)	Halton	Parliamentary assistant to the Minister of Economic Development and Trade / adjoint parlementaire au ministre du Développement économique et du Commerce
Churley, Marilyn (ND)	Toronto-Danforth	chief New Democratic Party whip / whip en chef du Nouveau Parti démocratique
<b>Clark, Hon / L'hon Brad (PC)</b>	Stoney Creek	Minister of Transportation / ministre des Transports
Cleary, John C. (L)	Stormont-Dundas- Charlottenburgh	
<b>Clement, Hon / L'hon Tony (PC)</b>	Brampton West-Mississauga / Brampton-Ouest-Mississauga	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
<b>Coburn, Hon / L'hon Brian (PC)</b>	Ottawa-Orléans	Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Colle, Mike (L)	Eglinton-Lawrence	
Conway, Sean G. (L)	Renfrew-Nipissing-Pembroke	
Cordiano, Joseph (L)	York South-Weston / York-Sud-Weston	
Crozier, Bruce (L)	Essex	
<b>Cunningham, Hon / L'hon Dianne (PC)</b>	London North Centre / London-Centre-Nord	Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Curling, Alvin (L)	Scarborough-Rouge River	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
DeFaria, Carl (PC)	Mississauga East / -Est	Parliamentary assistant to the Minister of Citizenship / adjoint parlementaire au ministre des Affaires civiques
Di Cocco, Caroline (L)	Sarnia-Lambton	
Dombrowsky, Leona (L)	Hastings-Frontenac-Lennox and Addington	
Duncan, Dwight (L)	Windsor-St Clair	opposition House leader / chef parlementaire de l'opposition
Dunlop, Garfield (PC)	Simcoe North / -Nord	Parliamentary assistant to the Minister of Education and government House leader / adjoint parlementaire à la ministre de l'Éducation et leader parlementaire du gouvernement
<b>Ecker, Hon / L'hon Janet</b> (PC)	Pickering-Ajax-Uxbridge	Minister of Education, government House leader / ministre de l'Éducation, leader parlementaire du gouvernement
<b>Elliott, Hon / L'hon Brenda</b> (PC)	Guelph-Wellington	Minister of Intergovernmental Affairs / ministre des Affaires intergouvernementales
<b>Flaherty, Hon / L'hon Jim</b> (PC)	Whitby-Ajax	Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Galt, Doug (PC)	Northumberland	Parliamentary assistant to the Minister of Agriculture, Food and Rural Affairs / adjoint parlementaire au ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Gerretsen, John (L)	Kingston and the Islands / Kingston et les îles	
Gilchrist, Steve (PC)	Scarborough East / -Est	
Gill, Raminder (PC)	Bramalea-Gore- Malton-Springdale	Parliamentary assistant to the Minister of Training, Colleges and Universities / adjoint parlementaire à la ministre de la Formation et des Collèges et Universités
Gravelle, Michael (L)	Thunder Bay-Superior North / -Nord	
Guzzo, Garry J. (PC)	Ottawa West-Nepean / Ottawa-Ouest-Nepean	
Hampton, Howard (ND)	Kenora-Rainy River	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Hardeman, Ernie (PC)	Oxford	Parliamentary assistant to the Deputy Premier and Minister of Finance / adjoint parlementaire au vice-premier ministre et ministre des Finances
<b>Harris, Hon / L'hon Michael D.</b> (PC)	Nipissing	Premier and President of the Executive Council / premier ministre et président du Conseil exécutif
Hastings, John (PC)	Etobicoke North / -Nord	Parliamentary assistant to the Minister of Energy, Science and Technology / adjoint parlementaire au ministre de l'Énergie, des Sciences et de la Technologie
<b>Hodgson, Hon / L'hon Chris</b> (PC)	Haliburton-Victoria-Brock	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Hoy, Pat (L)	Chatham-Kent Essex	
<b>Hudak, Hon / L'hon Tim</b> (PC)	Erie-Lincoln	Minister of Tourism, Culture and Recreation / ministre du Tourisme, de la Culture et des Loisirs
<b>Jackson, Hon / L'hon Cameron</b> (PC)	Burlington	Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées
<b>Johns, Hon / L'hon Helen</b> (PC)	Huron-Bruce	Minister without Portfolio (Health and Long-Term Care) / ministre sans portefeuille (Santé et Soins de longue durée)
<b>Johnson, Bert</b> (PC)	Perth-Middlesex	Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative
Kells, Morley (PC)	Etobicoke-Lakeshore	Parliamentary assistant to the Minister of Municipal Affairs and Housing / adjoint parlementaire au ministre des Affaires municipales et du Logement
Kennedy, Gerard (L)	Parkdale-High Park	
<b>Klees, Hon / L'hon Frank</b> (PC)	Oak Ridges	Minister without Portfolio, chief government whip, deputy government House leader / ministre sans portefeuille, whip en chef du gouvernement, leader parlementaire adjoint

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Kormos, Peter (ND)	Niagara Centre / -Centre	New Democratic Party House leader / chef parlementaire du Nouveau Parti démocratique
Kwinter, Monte (L)	York Centre / -Centre	
Lalonde, Jean-Marc (L)	Glengarry-Prescott-Russell	
Lankin, Frances (ND)	Beaches-East York	
Levac, Dave (L)	Brant	
Marchese, Rosario (ND)	Trinity-Spadina	
Marland, Margaret (PC)	Mississauga South / -Sud	
Martel, Shelley (ND)	Nickel Belt	
<b>Martin, Tony</b> (ND)	Sault Ste Marie	First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Martiniuk, Gerry (PC)	Cambridge	
Maves, Bart (PC)	Niagara Falls	Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire au ministre de la Santé et des Soins de longue durée
Mazzilli, Frank (PC)	London-Fanshawe	Parliamentary assistant to the Minister of Tourism, Culture and Recreation / adjoint parlementaire au ministre du Tourisme, de la Culture et des Loisirs
McGuinty, Dalton (L)	Ottawa South / -Sud	Leader of the Opposition / chef de l'opposition
McLeod, Lyn (L)	Thunder Bay-Atikokan	
McMeekin, Ted (L)	Ancaster-Dundas-Flamborough- Aldershot	
Miller, Norm (PC)	Parry Sound-Muskoka	
Molinari, Tina R. (PC)	Thornhill	Parliamentary assistant to the Minister of Community and Social Services and Minister responsible for Children / adjointe parlementaire au ministre des Services sociaux et communautaires et ministre délégué au dossier de l'Enfance
Munro, Julia (PC)	York North / -Nord	Parliamentary assistant to the Minister of Transportation / adjointe parlementaire au ministre des Transports
Murdoch, Bill (PC)	Bruce-Grey-Owen Sound	Parliamentary assistant to the Minister of Labour / adjoint parlementaire au ministre du Travail
Mushinski, Marilyn (PC)	Scarborough Centre / -Centre	Parliamentary assistant to the Premier / adjointe parlementaire au premier ministre
<b>Newman, Hon / L'hon Dan</b> (PC)	Scarborough Southwest / -Sud-Ouest	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
O'Toole, John R. (PC)	Durham	Parliamentary assistant to the Minister of Finance / adjoint parlementaire au ministre des Finances
Ouellette, Jerry J. (PC)	Oshawa	Parliamentary assistant to the Minister of Northern Development and Mines / adjoint parlementaire au ministre du Développement du Nord et des Mines
Parsons, Ernie (L)	Prince Edward-Hastings	
Patten, Richard (L)	Ottawa Centre / -Centre	
Peters, Steve (L)	Elgin-Middlesex-London	
Phillips, Gerry (L)	Scarborough-Agincourt	
Pupatello, Sandra (L)	Windsor West / -Ouest	
Ramsay, David (L)	Timiskaming-Cochrane	
<b>Runciman, Hon / L'hon Robert W.</b> (PC)	Leeds-Grenville	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Ruprecht, Tony (L)	Davenport	
<b>Sampson, Hon / L'hon Rob</b> (PC)	Mississauga Centre / -Centre	Minister of Correctional Services / ministre des Services correctionnels
Sergio, Mario (L)	York West / -Ouest	deputy opposition whip / whip adjoint de l'opposition
Smitherman, George (L)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	
<b>Snobelen, Hon / L'hon John</b> (PC)	Mississauga West / -Ouest	Minister of Natural Resources / ministre des Richesses naturelles

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
Spina, Joseph (PC)	Brampton Centre / -Centre	Parliamentary assistant to the Minister of Consumer and Business Services / adjoint parlementaire au ministre des Services aux consommateurs et aux entreprises
<b>Sterling, Hon / L'hon Norman W. (PC)</b>	Lanark-Carleton	Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises
Stewart, R. Gary (PC)	Peterborough	Parliamentary assistant to the Minister of Agriculture, Food and Rural Affairs / adjoint parlementaire au ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
<b>Stockwell, Hon / L'hon Chris (PC)</b>	Etobicoke Centre / -Centre	Minister of Labour / ministre du Travail
Tascona, Joseph N. (PC)	Barrie-Simcoe-Bradford	Parliamentary assistant to the Solicitor General / adjoint parlementaire au solliciteur général
Tilson, David (PC)	Dufferin-Peel-Wellington-Grey	Parliamentary assistant to the Attorney General and minister responsible for native affairs / adjoint parlementaire au procureur général et ministre délégué aux Affaires autochtones
<b>Tsubouchi, Hon / L'hon David H. (PC)</b>	Markham	Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement
<b>Turnbull, Hon / L'hon David (PC)</b>	Don Valley West / -Ouest	Solicitor General / solliciteur général
Wettlaufer, Wayne (PC)	Kitchener Centre / -Centre	Parliamentary assistant to the Chair of the Management Board of Cabinet / adjoint parlementaire au président du Conseil de gestion du gouvernement
<b>Wilson, Hon / L'hon Jim (PC)</b>	Simcoe-Grey	Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
<b>Witmer, Hon / L'hon Elizabeth (PC)</b>	Kitchener-Waterloo	Minister of the Environment / ministre de l'Environnement
Wood, Bob (PC)	London West / -Ouest	Parliamentary assistant to the Minister of Correctional Services / adjoint parlementaire au ministre des Services correctionnels
<b>Young, Hon / L'hon David (PC)</b>	Willowdale	Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Vacant	Vaughan-King-Aurora	

## STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE

### **Estimates / Budgets des dépenses**

Chair / Président: Gerard Kennedy  
Vice-Chair / Vice-Président: Alvin Curling  
Gilles Bisson, Alvin Curling,  
Gerard Kennedy, Frank Mazzilli,  
Norm Miller, John R. O'Toole,  
Steve Peters, Wayne Wettlaufer  
Clerk / Greffière: Susan Sourial

### **Finance and economic affairs / Finances et affaires économiques**

Chair / Président: Marcel Beaubien  
Vice-Chair / Vice-Président: Doug Galt  
Marcel Beaubien, David Christopherson,  
Doug Galt, Ernie Hardeman, Monte Kwinter,  
John O'Toole, Gerry Phillips, Joseph Spina  
Clerk / Greffière: Susan Sourial

### **General government / Affaires gouvernementales**

Chair / Président: Steve Gilchrist  
Vice-Chair / Vice-Présidente: Norm Miller  
Marie Bountrogianni, Ted Chudleigh,  
Garfield Dunlop, Steve Gilchrist, Dave Levac,  
Rosario Marchese, Norm Miller, Marilyn Mushinski  
Clerk / Greffière: Anne Stokes

### **Government agencies / Organismes gouvernementaux**

Chair / Président: James J. Bradley  
Vice-Chair / Vice-Président: Bruce Crozier  
James J. Bradley, Bruce Crozier,  
Leona Dombrowsky, Bert Johnson,  
Tony Martin, Frank Mazzilli,  
Jerry J. Ouellette, Bob Wood  
Clerk / Greffière: Tonia Grannum

### **Justice and Social Policy / Justice et affaires sociales**

Chair / Présidente: Toby Barrett  
Vice-Chair / Vice-Président: Carl DeFaria  
Toby Barrett, Marcel Beaubien,  
Michael Bryant, Carl DeFaria,  
Garry J. Guzzo, Peter Kormos,  
Lyn McLeod, Tina R. Molinari  
Clerk / Greffier: Tom Prins

### **Legislative Assembly / Assemblée législative**

Chair / Président: R. Gary Stewart  
Vice-Chair / Vice-Président: Vacant  
Ted Arnott, Marilyn Churley,  
Caroline Di Cocco, Jean-Marc Lalonde,  
Margaret Marland, Jerry J. Ouellette,  
R. Gary Stewart, Joseph N. Tascona,  
Clerk / Greffier: Douglas Arnott

### **Public accounts / Comptes publics**

Chair / Président: John Gerretsen  
Vice-Chair / Vice-Président: John C. Cleary  
John C. Cleary, John Gerretsen, Raminder Gill,  
John Hastings, Shelley Martel, Bart Maves,  
Julia Munro, Richard Patten  
Clerk / Greffière: Tonia Grannum

### **Regulations and private bills / Règlements et des projets de loi d'internet privé**

Chair / Présidente: Frances Lankin  
Vice-Chair / Vice-Président: Garfield Dunlop  
Gilles Bisson, Claudette Boyer, Garfield Dunlop,  
Raminder Gill, Pat Hoy, Morley Kells, Frances Lankin,  
Ted McMeekin, Bill Murdoch, Wayne Wettlaufer  
Clerk / Greffier: Douglas Arnott

These lists appear in the first and last issues of each session and on the first Monday of each month. A list arranged by riding appears when space permits.

Ces listes figurent dans les premier et dernier numéros de chaque session et du premier lundi de chaque mois. Par contre, une liste des circonscriptions paraît si l'espace est disponible.



continued from overleaf

**MPP Compensation Reform Act (Arm's Length Process), 2001, Bill 82, Mr Tsubouchi**  
Agreed to..... 2041

**Government Efficiency Act, 2001, Bill 57, Mr Sterling**  
Agreed to..... 2041

**Brownfields Statute Law Amendment Act, 2001, Bill 56, Mr Hodgson**  
Agreed to..... 2046

**Police Services Amendment Act, 2001, Bill 59, Mr Tilson**  
Mr Tilson..... 2046  
Mr Levac..... 2046  
Mr Kormos..... 2047  
Agreed to..... 2048

**Horse Riding Safety Act, 2001, Bill 12, Mrs Molinari**  
Agreed to..... 2048

**SECOND AND THIRD READINGS**

**Wilfrid Laurier University Amendment Act, 2001, Bill 66, Mrs Cunningham**  
Agreed to..... 2045

**Homes for Retarded Persons Repeal Act, 2001, Bill 71, Mr Baird**  
Agreed to..... 2045

**City of Elliot Lake Act, 2001, Bill Pr4, Mr Brown**  
Agreed to..... 2041

**Premium Auto Collision Inc. Act, 2001, Bill Pr7, Mr Hastings**  
Agreed to..... 2042

**1072550 Ontario Limited Act, 2001, Bill Pr8, Mr Smitherman**  
Agreed to..... 2042

**Town of Newmarket Act, 2001, Bill Pr9, Mrs Munro**  
Agreed to..... 2042

**Niagara Central Airport Commission Act, 2001, Bill Pr11, Mr Kormos**  
Agreed to..... 2042

**Master's College and Seminary Act, 2001, Bill Pr12, Mr Stewart**  
Agreed to..... 2042

**The Boys' Home Act, 2001, Bill Pr13, Ms Churley**  
Agreed to..... 2042

**1150982 Ontario Inc. Act, 2001, Bill Pr14, Mr Spina**  
Agreed to..... 2042

**1252563 Ontario Limited Act, 2001, Bill Pr16, Mr Marchese**  
Agreed to..... 2043

**RDP Computer Consulting Inc. Act, 2001, Bill Pr17, Mrs Molinari**  
Agreed to..... 2043

**Conrad Grebel University College Act, 2001, Bill Pr18, Mr Amott**  
Agreed to..... 2043

**569924 Ontario Limited Act, 2001, Bill Pr19, Mr Parsons**  
Agreed to..... 2043

**City of Toronto Act (Heritage Properties), 2001, Bill Pr20, Ms Mushinski**  
Agreed to..... 2043

**GOVERNMENT MOTIONS**

**Select committee on alternative fuel sources**  
Agreed to..... 2046

**OTHER BUSINESS**

**Visitors**  
The Speaker..... 2007  
Mr Lalonde..... 2010  
Mr Bartolucci..... 2010

**Speaker's ruling**  
The Speaker..... 2007  
Mr Duncan..... 2008

**Legislative pages**  
The Speaker..... 2010

**Frank Klees**  
Mr Klees..... 2014

**Referral of Bill 34**  
Mr Agostino..... 2048  
Agreed to..... 2048

**TABLE DES MATIÈRES**

**Jeudi 28 juin 2001**

**AFFAIRES D'INTÉRÊT PUBLIC ÉMANANT DES DÉPUTÉS**

**Loi de 2001 modifiant la Loi sur les ressources en eau de l'Ontario (protection des sources d'alimentation en eau), projet de loi 79, M<sup>me</sup> Dombrowsky**  
Rejetée..... 2005

**PREMIÈRE LECTURE**

**Loi de 2001 modifiant le Code de la route, projet de loi 96, M. Levac**  
Adoptée..... 2009

**Loi de 2001 sur la préservation archéologique du patrimoine démocratique, projet de loi 97, M. Marchese**  
Adoptée..... 2009

**Loi de 2001 sur l'héritage sud-asiatique, projet de loi 98, M. Gill**  
Adoptée..... 2009

**Loi de 2001 visant à sauvegarder notre patrimoine architectural, projet de loi 99, M. Marchese**  
Adoptée..... 2010

**DEUXIÈME LECTURE**

**Loi de 2001 sur la stabilité et l'excellence en éducation, projet de loi 80, M<sup>me</sup> Ecker**  
Adoptée..... 2026

**Loi de 2001 modifiant des lois en ce qui concerne les friches contaminées, projet de loi 56, M. Hodgson**  
Adoptée..... 2045

**Loi de 2001 sur les défibrillateurs cardiaques portatifs, projet de loi 51, M. Colle**  
Adoptée..... 2048

**Loi de 2001 modifiant des lois en ce qui concerne la divulgation de renseignements sur les adoptions, projet de loi 77, M<sup>me</sup> Churley**  
Adoptée..... 2048

**Loi de 2001 sur le Mois de la sensibilisation aux tumeurs cérébrales, projet de loi 14, M. Wood**  
Adoptée..... 2048

**TROISIÈME LECTURE**

**Loi de 2001 sur la stabilité et l'excellence en éducation, projet de loi 80, M<sup>me</sup> Ecker**  
Adoptée..... 2040

**Loi de 2001 portant réforme de la rétribution des députés (processus sans lien de dépendance), projet de loi 82, M. Tsubouchi**  
Adoptée..... 2041

**Loi de 2001 sur l'efficience du gouvernement, projet de loi 57, M. Sterling**  
Adoptée..... 2041

**Loi de 2001 modifiant des lois en ce qui concerne les friches contaminées, projet de loi 56, M. Hodgson**  
Adoptée..... 2046

**Loi de 2001 modifiant la Loi sur les services policiers, projet de loi 59, M. Tilson**  
Adoptée..... 2048

**Loi de 2001 sur la sécurité des cavaliers, projet de loi 12, M<sup>me</sup> Molinari**  
Adoptée..... 2048

**DEUXIÈME ET TROISIÈME LECTURES**

**Loi de 2001 modifiant la loi intitulée The Wilfrid Laurier University Act, projet de loi 66, M<sup>me</sup> Cunningham**  
Adoptée..... 2045

**Loi de 2001 abrogeant la Loi sur les foyers pour déficients mentaux, projet de loi 71, M. Baird**  
Adoptée..... 2045

# CONTENTS

Thursday 28 June 2001

## PRIVATE MEMBERS' PUBLIC BUSINESS

### Access to professions and trades

Ms Mushinski.....	1989, 1996
Mr Ruprecht.....	1990
Mr Tascona.....	1992
Mr Galt.....	1992
Mr Martin.....	1993
Mr Gill.....	1996
Agreed to.....	2004

### Ontario Water Resources Amendment Act (Water Source Protection), 2001, Bill 79, *Mrs Dombrowsky*

Mrs Dombrowsky.....	1997, 2004
Mr Tilson.....	1998
Mr Barrett.....	1998
Mr Galt.....	1999
Mr Bradley.....	2000
Mr Martin.....	2001
Mr Dunlop.....	2003
Mr Bryant.....	2004
Negated.....	2005

## MEMBERS' STATEMENTS

### Golf tournaments

Mr Crozier.....	2005
-----------------	------

### Scarborough Support Services for the Elderly

Ms Mushinski.....	2005
-------------------	------

### Seniors

Mr Sergio.....	2005
----------------	------

### Adoption disclosure

Ms Churley.....	2006
-----------------	------

### Campbellford Waterfront Festival

Mr Galt.....	2006
--------------	------

### Intercountry adoption

Mr Cordiano.....	2006
------------------	------

### Volunteers

Mrs Munro.....	2006
----------------	------

### Community care access centres

Mr Bartolucci.....	2007
--------------------	------

### Health protection

Mr Dunlop.....	2007
----------------	------

## REPORTS BY COMMITTEES

### Standing committee on general government

Ms Mushinski.....	2008
Report adopted.....	2009

## FIRST READINGS

### Highway Traffic Amendment

Act, 2001, Bill 96, <i>Mr Levac</i>	
Agreed to.....	2009
Mr Levac.....	2009

### Democratic Heritage Archaeological Preservation Act, 2001, Bill 97,

<i>Mr Marchese</i>	
Agreed to.....	2009
Mr Marchese.....	2009

### South Asian Heritage Act, 2001,

Bill 98, <i>Mr Gill</i>	
Agreed to.....	2009
Mr Gill.....	2009

### Save Our Architectural Heritage Act, 2001, Bill 99, *Mr Marchese*

Agreed to.....	2010
Mr Marchese.....	2010

## MOTIONS

### House sittings

Mrs Ecker.....	2010
Agreed to.....	2010

### Committee sittings

Mrs Ecker.....	2011
Agreed to.....	2011

### Resignation of member for Beaches-East York

Mrs Marland.....	2011
Mr Conway.....	2012
Mr Hampton.....	2012
Ms Lankin.....	2013

## ORAL QUESTIONS

### Walkerton tragedy

Mr McGuinty.....	2015
Mrs Witmer.....	2015, 2017, 2018, 2022
Mr Hampton.....	2017
Ms Churley.....	2018
Mr Bradley.....	2022

### Health care funding

Mr McGuinty.....	2016
Mr Clement.....	2016

### User fees

Mr McGuinty.....	2018
Mr Clement.....	2018

### Immigration and refugee policy

Mr DeFaria.....	2019
Mrs Elliott.....	2019

### Education funding

Mr McGuinty.....	2019
Mrs Ecker.....	2019

### Women's shelters

Mr O'Toole.....	2020
Mr Baird.....	2020

### Poverty

Mr Martin.....	2021
Mr Baird.....	2021

### Cleanup of public lands

Ms Mushinski.....	2022
Mr Wilson.....	2022

### Long-term care

Mr Levac.....	2023
Mr Clement.....	2023

### Ontario-New York economic summit

Mr Maves.....	2023
Mr Runciman.....	2023

### Air quality

Mr Hampton.....	2024
Mr Wilson.....	2024

## PETITIONS

### Hydro One equipment

Mr Levac.....	2024
---------------	------

### Transit services

Ms Churley.....	2025
-----------------	------

### Lord's Prayer

Mr Ouellette.....	2025
-------------------	------

### Water extraction

Mrs Dombrowsky.....	2025
---------------------	------

### Northern health travel grant

Mr Hampton.....	2025
-----------------	------

### Electricity generating station

Mrs Marland.....	2026
------------------	------

## SECOND READINGS

### Stability and Excellence in Education

Act, 2001, Bill 80, <i>Mrs Ecker</i>	
Agreed to.....	2026

### Brownfields Statute Law Amendment

Act, 2001, Bill 56, <i>Mr Hodgson</i>	
Agreed to.....	2045

### Portable Heart Defibrillator Act,

2001, Bill 51, <i>Mr Colle</i>	
Agreed to.....	2048

### Adoption Disclosure Statute Law

Amendment Act, 2001, Bill 77,	
<i>Ms Churley</i>	
Agreed to.....	2048

### Brain Tumour Awareness Month

Act, 2001, Bill 14, <i>Mr Wood</i>	
Agreed to.....	2048

## THIRD READINGS

### Stability and Excellence in Education

Act, 2001, Bill 80, <i>Mrs Ecker</i>	
Mrs Ecker.....	2027
Mr Phillips.....	2028
Mr Bisson.....	2030
Mr Dunlop.....	2033
Mr Cordiano.....	2035
Mr Marchese.....	2035
Mrs Molinari.....	2037
Mr Agostino.....	2038
Mrs Cunningham.....	2040
Agreed to.....	2040

continued overleaf

A2 ON  
X1  
223



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## Legislative Assembly of Ontario

Second Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 24 September 2001

Lundi 24 septembre 2001

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 24 September 2001

*The House met at 1330.  
Prayers.*

### INTRODUCTION OF MEMBER FOR VAUGHAN-KING-AURORA

**The Speaker (Hon Gary Carr):** I beg to inform the House that a vacancy has occurred in the membership of the House by reason of the passing of Al Palladini as member for the electoral district of Vaughan-King-Aurora effective Wednesday, March 7, 2001.

I beg to inform the House that the Clerk has received from the chief election officer and laid upon the table a certificate of the by-election in the electoral district of Vaughan-King-Aurora.

**Clerk of the House (Mr Claude L. DesRosiers):** I have a letter addressed to:

"Mr Claude DesRosiers

"Clerk of the Legislative Assembly

"Room 104

"Legislative Building

"Queen's Park

"Toronto, Ontario

"M7A 1A2"

It reads as follows:

"Dear Mr DesRosiers:

"A writ of election dated the 30th day of May 2001 was issued by the Honourable Lieutenant Governor of the province of Ontario and was addressed to Frances Romano, returning officer for the electoral district of Vaughan-King-Aurora, for the election of a member to represent the said electoral district of Vaughan-King-Aurora in the Legislative Assembly of this province in the room of Al Palladini who since his election as representative of said electoral district of Vaughan-King-Aurora hath departed this life. This is to certify that, a poll having been granted and held in Vaughan-King-Aurora on the 28th day of June 2001, Greg Sorbara has been returned as duly elected, as appears by the return of the said writ of election dated the 6th day of July 2001, which is now lodged of record in my office."

"John L. Hollins

"Chief election officer

"Toronto, July 6, 2001."

**Mr Dalton McGuinty (Leader of the Opposition):**

Mr Speaker, I have the honour to present to you and the House Greg Sorbara, member-elect for the electoral district of Vaughan-King-Aurora, who has taken the oath, signed the roll and now claims the right to take his seat.

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 24 septembre 2001

**The Speaker:** Let the honourable member take his seat.

### BY-ELECTION IN BEACHES-EAST YORK

**The Speaker (Hon Gary Carr):** I beg to inform the House that during the adjournment a vacancy has occurred in the membership of the House by reason of the resignation of Frances Lankin, member for the electoral district of Beaches-East York, effective July 31, 2001. Accordingly, I have issued my warrant to the chief election officer for the issue of a writ for a by-election.

### ROYAL ASSENT SANCTION ROYALE

**The Speaker (Hon Gary Carr):** I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Administrator of Ontario was pleased to assent to certain bills on June 29, 2001.

**Clerk at the Table (Ms Lisa Freedman):** The following are the titles of the bills to which His Honour did assent:

Bill 12, An Act to increase the safety of equestrian riders / *Projet de loi 12, Loi visant à accroître la sécurité des cavaliers;*

Bill 18, An Act to recognize the emblem of the Ontario French-speaking community / *Projet de loi 18, Loi visant à reconnaître l'emblème de la communauté francophone de l'Ontario;*

Bill 19, An Act to amend the Ministry of Training, Colleges and Universities Act / *Projet de loi 19, Loi modifiant la Loi sur le ministère de la Formation et des Collèges et Universités;*

Bill 25, An Act to amend the Public Service Act and the Crown Employees Collective Bargaining Act, 1993 / *Projet de loi 25, Loi modifiant la Loi sur la fonction publique et la Loi de 1993 sur la négociation collective des employés de la Couronne;*

Bill 45, An Act to implement measures contained in the 2001 Budget and to amend various statutes / *Projet de loi 45, Loi mettant en oeuvre des mesures mentionnées dans le budget de 2001 et modifiant diverses lois;*

Bill 57, An Act to promote government efficiency and to improve services to taxpayers by amending or repealing certain Acts / *Projet de loi 57, Loi visant à favoriser l'efficacité du gouvernement et à améliorer les services*

aux contribuables en modifiant ou en abrogeant certaines lois;

Bill 58, An Act to ensure the provision of essential ambulance services in the event of a strike or lock-out of ambulance workers / Projet de loi 58, Loi visant à assurer la fourniture des services d'ambulance essentiels dans l'éventualité d'une grève ou d'un lock-out de préposés aux services d'ambulance;

Bill 59, An Act to amend the Police Services Act / Projet de loi 59, Loi modifiant la Loi sur les services policiers;

Bill 66, An Act to amend The Wilfrid Laurier University Act, 1973 / Projet de loi 66, Loi modifiant la loi intitulée The Wilfrid Laurier University Act, 1973;

Bill 71, An Act to repeal the Homes for Retarded Persons Act, amend the Developmental Services Act and make related amendments to other statutes / Projet de loi 71, Loi abrogeant la Loi sur les foyers pour déficients mentaux, modifiant la Loi sur les services aux personnes atteintes d'un handicap de développement et apportant des modifications connexes à d'autres lois;

Bill 80, An Act to promote a stable learning environment and support teacher excellence / Projet de loi 80, Loi favorisant la stabilité du milieu de l'enseignement et soutenant l'excellence des enseignants;

Bill 82, An Act to amend the Legislative Assembly Act to provide an arm's length process to determine members' compensation / Projet de loi 82, Loi modifiant la Loi sur l'Assemblée législative pour établir un processus sans lien de dépendance permettant de fixer la rétribution des députés;

Bill 85, An Act to minimize the use of restraints on patients in hospitals and on patients of facilities / Projet de loi 85, Loi visant à réduire au minimum l'utilisation des moyens de contention sur les malades des hôpitaux et des établissements;

Bill Pr4, An Act respecting the City of Elliot Lake;

Bill Pr7, An Act to revive Premium Auto Collision Inc.;

Bill Pr8, An Act to revive 1072550 Ontario Limited;

Bill Pr9, An Act respecting the Town of Newmarket;

Bill Pr11, An Act to amend the Welland-Port Colborne Airport Act, 1976;

Bill Pr12, An Act respecting Master's College and Seminary (formerly Eastern Pentecostal Bible College);

Bill Pr13, An Act respecting the Boys' Home;

Bill Pr14, An Act to revive 1150982 Ontario Inc.;

Bill Pr16, An Act to revive 1252563 Ontario Limited;

Bill Pr17, An Act to revive RDP Computer Consulting Inc.;

Bill Pr18, An Act respecting Conrad Grebel University College;

Bill Pr19, An Act to revive 569924 Ontario Limited;

Bill Pr20, An Act respecting the City of Toronto.

#### REPORT, CHIEF ELECTION OFFICER

**The Speaker (Hon Gary Carr):** I beg to inform the House that on Monday, July 16, 2001, the annual report

of the Chief Election Officer for the year 2000 was tabled.

#### REPORT, INTEGRITY COMMISSIONER

**The Speaker (Hon Gary Carr):** I beg to inform the House that on Monday, August 27, 2001, the report of the Integrity Commissioner, pursuant to section 1 of the MPP Compensation Reform Act, 2001, was tabled.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**The Speaker (Hon Gary Carr):** I beg to inform the House that during the recess the Clerk received the 10th, 11th and 12th reports of the standing committee on government agencies.

Pursuant to standing order 106(e)9, these reports are deemed to be adopted by the House.

##### WEARING OF RED, WHITE AND BLUE RIBBONS

**The Speaker (Hon Gary Carr):** In the absence of a dissenting voice, today all members may wear on their lapel the red, white and blue ribbon signifying support for our American neighbours.

#### VISITORS

**The Speaker (Hon Gary Carr):** I would also like to inform the members that we have with us today in the Speaker's gallery representatives from the Consular Corps in Toronto. Please join me in welcoming our very special honoured guests.

1340

#### MOTIONS

##### ATTACK ON THE UNITED STATES ATTAQUE CONTRE LES ÉTATS-UNIS

**Hon Janet Ecker (Minister of Education, Government House Leader):** Mr Speaker, I seek unanimous consent for the Premier to move a motion relating to the events of September 11, 2001, in the United States, the text of which all parties are aware;

And further, that the terms of debate on the motion be as follows:

The three party leaders will be given up to 12 minutes each for an opening statement, to begin with the Premier's remarks, followed by the leader of the official opposition, concluding with the leader of the third party;

Following these statements, two minutes of silence will be observed;

The time remaining until 5:45 pm will then be divided equally among the 98 remaining members of the House. Such debate will follow a simple rotation between each party, and will include the independent member;

The leader of the third party may speak more than once using any combination of the unused time allocated to the members of his caucus;

Upon the conclusion of the debate, or at 5:45 pm, whichever occurs earlier, the Speaker will put the question;

In the case of any division, the division bell shall be limited to 10 minutes;

Upon the conclusion of the vote, the national anthem of the United States will be played, immediately followed by O Canada;

Following the playing of the national anthems, the Speaker shall immediately adjourn the House.

**The Speaker:** The government House leader is seeking unanimous consent to move a motion relating to the events of September 11, 2001, in the United States and for the debate to proceed as stated.

Agreed? Agreed. Premier.

**Hon Michael D. Harris (Premier):** Mr Speaker, I would like to move, seconded by Mr McGuinty and Mr Hampton, the following motion:

Be it resolved that:

To respond to the events of September 11, 2001, in which thousands of innocent men and women, including Canadian citizens, were attacked and murdered by terrorists;

To acknowledge that these acts were evil, immoral and an affront to humanity;

To respond as well to recent and unfortunate incidents, in Ontario and elsewhere, of intolerance directed to Muslims and members of other visible minority communities;

To join with all peaceful, law-abiding people who want compassion to be shown to the victims and justice to be served;

The Legislative Assembly of the province of Ontario, on behalf of the people of Ontario:

Unanimously joins Parliaments and governments around the world in condemning both these attacks and those responsible for them;

Commits the resources of Ontario to assist the people of the United States in dealing with the aftermath of these terrible tragedies;

Declares that Ontario stands ready to help bring to justice all those responsible for these heinous acts;

Pledges to do everything within its power to ensure that there is no place in Ontario for agents or supporters of terrorism;

Condemns all hate crimes and reaffirms the commitment of all legislators to uphold our province's proud traditions of tolerance and respect for diversity and to do everything in our power to ensure that all Ontario residents continue to treat one another—regardless of race,

religion, background or ethnic origin—with generosity, with compassion, with dignity and with respect.

**The Speaker:** Mr Harris moves, seconded by Mr McGuinty and Mr Hampton, that to respond to the events of September 11, 2001, in which thousands of innocent men and women, including Canadian citizens, were attacked and murdered by terrorists;

To acknowledge that these acts were evil, immoral and an affront to humanity;

To respond as well to recent and unfortunate incidents, in Ontario and elsewhere, of intolerance directed to Muslims and members of other visible minority communities;

To join with all peaceful, law-abiding people who want compassion to be shown to the victims and justice to be served;

The Legislative Assembly of the province of Ontario, on behalf of the people of Ontario:

Unanimously joins Parliaments and governments around the world in condemning both these attacks and those responsible for them;

Commits the resources of Ontario to assist the people of the United States in dealing with the aftermath of these terrible tragedies;

Declares that Ontario stands ready to help bring to justice all those responsible for these heinous acts;

Pledges to do everything within its power to ensure that there is no place in Ontario for agents or supporters of terrorism;

Condemns all hate crimes and reaffirms the commitment of all legislators to uphold our province's proud traditions of tolerance and respect for diversity and to do everything in our power to ensure that all Ontario residents continue to treat one another—regardless of race, religion, background or ethnic origin—with generosity, compassion, dignity and respect.

**Hon Mr Harris:** I want to thank both opposition leaders for their assistance in drafting the resolution and their co-operation on behalf of their caucuses in making it unanimous today.

I also want to acknowledge and thank Philip Hoffman, the deputy consul general of the United States, for his presence here today.

Today is unlike any we've seen in this Legislature. The world has changed, and we have changed. Innocent people were murdered by deliberate evil, terrorism unleashed without warning, with callous disregard for life. They were taken in brief and terrible moments, yet we will cherish their lives forever. We must learn to live with the indelible images of that morning. We must learn to live with shock, with disbelief that so much evil has taken so much life that we hold precious. We must learn to live with loss.

But our province, our country and our allies are strong, as are the people whose lives have been shattered by these crimes. To the friends and families of the victims of this tragedy, our hearts go out to you. You have our prayers, you have our deepest condolences and you have our vow to do everything to prevent anything like this from ever happening again.

In these dark hours, so many ask, "What good can come from this?" I answer: not darkness, but light; not evil, but goodness; not hatred, but love; not villains, but heroes; not enemies, but friends. Friends, heroes, love, goodness, light—we've witnessed so many incredible acts of humanity throughout this inhumanity. Ordinary people doing the extraordinary. Strangers helping strangers, quickly becoming friends, united in their concern, united in their caring and in their compassion, united in their total disregard for their own safety, caring only for others.

In this time of sorrow, it is hard for some to imagine that ever again could there be a brighter tomorrow. I think of the mothers, the fathers, the sisters, the brothers, the sons, the daughters, the friends, the victims, and I think of the loved ones who are lost, how many lives they touched, how much love they shared, how many smiles they brought to the faces of others, how many ways they could brighten the darkest day in so many little but magnificent ways, how vast was their courage and how they showed it quietly every day.

Our government has done what we can to lighten the burdens of our friends and our neighbours in their hours of need. We've sent the best of our best, Dr James Young, head of Ontario's Emergency Measures Organization, to New York City with a team of medical specialists to provide forensic services. We have provided money to help victims' families in need of support.

To help the families of Ontario victims, I've also asked officials to remove unnecessary legal obstacles, to speed compensation, to settle legal issues that victims' families may face. We stand ready to help in any other way we can, as Ontarians have stood throughout this time.

All who have suffered loss during this horror have been heartened to see how we as a society have responded to this vast and senseless tragedy. Thousands have donated blood. If you haven't yet and can, please do so. If it can't be used now, someone who urgently needs it will soon benefit from your gift of life.

Money has poured into disaster relief funds to help our friends through these tragedies and to help them start to rebuild. Ontarians have shown strong compassion by the speed with which they have helped those overwhelmed by this tragedy. To all of you on behalf of all Ontarians, I say thank you.

1350

Ontario has always prided itself on its tolerance. Ontarians come from all parts of the earth. We have lived until now in relative peace and harmony. I want all to know that Ontario will not harbour prejudice. Ontario will not allow hate crimes. Ontario will not allow racism to dim the light of hope, which so many of us are helping to burn brighter.

More than ever, we must build on who we are and what we stand for. More than ever, we must open our doors, not to hatred but to hope. More than ever, we must remember that we are a strong community. We are a community of communities, and we are stronger for that.

I have spoken, over the past weeks, to a number of friends in the Muslim community, as I believe all of us have in every part of this province and in our ridings. One leader particularly said to me that in his view he was very supportive of the overwhelming vast majority of support and understanding from Ontarians. He indicated that in his view racism and hate, hateful comments, come from a lack of knowledge and understanding of others, and he reminded me of this thought from the Koran—God says this—and I paraphrase as he paraphrased to me: "I made you different nations and tribes that ye may know one another." Every religion has this kind of statement. Perhaps none expresses it quite so directly and does the Muslim faith through the Koran.

More than ever, we must keep our American friends close in our hearts and remind them that they are family. We will not allow the evil acts of a few to defeat the heroic efforts of many. These terrorists have forfeited their future. They will fail, because we are but one province of one country of many democratic nations who stand beside America for all that is yet to come and all that as yet remains undone.

I vow, on behalf of all Ontarians, that we will stand with America. I vow that we will support you. I vow to you and to all people everywhere in the world who abhor terrorism, who cherish freedom and democracy, who live in nations of different beliefs and faiths, including peaceful, law-abiding Muslims living across this world, that we will do everything possible to help you emerge from these tragedies stronger.

The chilling aftermath of these senseless tragedies reminds us that we can never take our freedom and we can never take our safety for granted. We are reminded that we must at all times be ready to defend the way of life that we have worked so hard to build. While Ontario is still in mourning for the lives lost on September 11, our government has not lost sight of one of its most important duties: protecting its citizens. And make no mistake: we will protect our province and its people.

Today, I am announcing a broad range of steps we're taking to ensure the safety and security of Ontario families. Specifically, I have asked the commissioner of the Ontario Provincial Police, who is in the gallery today along with the deputy commissioner, to review ways the OPP could fight terrorism more effectively. We will consult with both the OPP and municipal police forces across the province on what additional resources may be required to keep Ontario safe. We will review ways that federal, provincial and municipal governments and other agencies can better share intelligence information. We pledge our co-operation with international intelligence and law enforcement officials.

We will also look at strengthening any provincial legislation that could be used to prevent terrorist acts, including possible changes to the Remedies for Organized Crime Act to cut terrorists off financially. At the same time, we will offer to work with the federal government as they review changes to federal legislation and policies. Along with our justice ministers, I will

report back to the House in the next few weeks on details related to these and other counter-terrorism initiatives.

Finally, where we have shown since September 11 that we have a sound emergency response capacity, I've directed an ongoing review of Ontario's emergency measures to ensure that we are as prepared as we need to be to deal with any future challenges.

Mr Speaker, as we look back over the past two weeks, we will never forget the children without fathers, without mothers; parents without sons, without daughters; of friends who will never see each other again. We will pray for the families whose lives have been torn apart but we will also move forward.

We will not allow the threat of terrorism to change our lives. We won't let the people who planned and carried out these evil acts succeed in their goal of undermining our way of life. We will carry on with our lives because democracy is strong, because freedom is strong. As Mayor Giuliani said yesterday, "To those who say that our city will never be the same, I say you are right. It will be better." Ontario will also be better. Our people are resolute and our love for freedom is unwavering.

Thank you very much, Mr Speaker.

**Mr Dalton McGuinty (Leader of the Opposition):**

Together with the Premier and leader of the third party, I lend my wholehearted support to this very important resolution. This is a tragedy for all of us, but it must be said that this tragedy is felt most deeply by the families and friends of those who died at the World Trade Center, at the Pentagon and in Pennsylvania. Our hearts and prayers are with those who lost a mother or father, a husband or wife, a son or daughter, a friend, a colleague. We've all lost a sense of security. We've all lost some of our faith in humanity, but to lose someone you love is the deepest loss of all. So we pray today for those who are mourning the deepest loss of all.

Today we commit the resources of our great province to assist the people of the United States of America. We owe much to our American friends, yet we stand with them now, I would suggest, not because of what we owe them but because of what we share with them: a love of freedom, a deep and abiding faith in the individual, a profound belief in democracy and what they so eloquently call the pursuit of happiness. Our traditions and our governments and our structures are very different, but our people and the American people strive for the same thing: the pursuit of happiness. That is what we share. It's a vision of a better future, and that is what was attacked, and that attack has left us understandably and justifiably angry. Let's allow that anger to fuel our actions now. Let's allow that anger to spur us on to do all we can to bring to justice the murderers responsible for those horrific events.

But let us also ensure that that anger does not blind us to injustice that takes place within our own borders. Already there have been terrible acts of intolerance aimed at people purely because of the way their names sound or the colour of their skin or the place of worship they might attend. I know that this House stands united

and resolute in condemning these despicable acts of intolerance. We will not allow terror to triumph over tolerance.

1400

Let us ensure as well that our anger does not create in us a sort of blind rage. We must root out, attack and eradicate terrorism and we sense an urgent need to act, but there's also an obligation to act wisely.

Someone once stood in a cemetery for fallen soldiers and said, "No man who witnessed the tragedies of the last war, no man who can imagine the unimaginable possibilities of the next war, can advocate war out of irritability or frustration or impatience." This, I would suggest, is the time to consider these words spoken by John F. Kennedy in 1961 on Veterans Day at Arlington National Cemetery. May the world's leaders be guided today by prudence as well as passion.

Let us not be blind, either, to the new challenges we face here in Ontario. This is a challenging time for us, and challenging times require leadership from all of us in this House. We must ask ourselves, just how secure is our province? What if that were to happen here? In the 1980s, this Legislature had an all-party committee on terrorism. I urge us all to reconvene this committee, so we can work together to put forward positive solutions. I would also urge the government to meet immediately with our province's mayors. We need to review how prepared we really are to cope with emergencies. We must all do everything we can—and I'm sure we sense this responsibility—to ensure that our people and our families are safe.

We must also do all we can to secure our economy, which was already slowing before the terrible events of September 11. I am troubled by the layoffs we have seen already, the instability in the markets, the delays for business at our border crossings and other threats to our trade with our US neighbours. So I urge the government to consider hosting a summit of business and labour leaders to consider the changing economic climate and how Ontarians, working together, can rise to meet this challenge. We believe the government should provide the people of Ontario with an updated fiscal and economic statement so we know exactly where we stand and where we might be going. Businesses are already revising their financial projections; so should we.

We have opened our hearts to our friends and neighbours, but let's also turn our minds to facing our challenges here at home. Let us remember that Ontario families are seeking security in all forms: from crime and terrorism, yes, but they also seek security in quality health care when someone is sick, they want the best education for their children and they want the safest environment for all of us.

I've spoken of our sadness for the victims and the anger we feel toward the terrorists, but I don't think there's anything wrong with admitting that we also feel at least some fear. Another great American, Mark Twain, once said that courage is resistance to fear, mastery of fear but not absence of fear. It's as if Twain knew those

firefighters and police and rescue workers who died on September 11. They must have felt fear but, oh, how they mastered it. They were going up the stairs when everybody else was rushing down. Those people are true heroes.

Such heroes exist right here in Ontario. They are our police, our firefighters, our paramedics, our rescue workers. I know in my heart that they would have made the same sacrifice, God forbid, in the same circumstances, and I know I speak for every member of this House when I pay tribute to the heroes in this tragedy and the heroes in our own backyard.

Now I say to my colleagues that it is our turn to master fear and show courage. We can defeat terror by resuming the pursuit of happiness.

I know that our everyday concerns can suddenly seem absolutely trivial when compared to the enormity of the events of September 11, but I say that our everyday lives are anything but trivial. After all, we have families to love and to raise. We have communities to build. We have a province to serve and a country to be proud of. So let these attacks renew our resolve to be the best parents that we can be, the best families that we can be, the best leaders that we can be, the best Ontarians and the best Canadians that we can be, because on September 11 we were reminded how precious our way of life, and life itself, really is.

Some might argue that politics now seem particularly trivial, but I believe public service is even more important today. When the terrorists attacked our way of life, they attacked the rule of law, and we are Ontario's lawmakers. When the terrorists attacked our way of life, they attacked the free flow of ideas, and this is where we debate ideas. When the terrorists attacked our way of life, they attacked democracy, and this chamber is the very heart of democracy in our province.

What we do in this Legislature, I suggest to you, Speaker, has even more meaning today. Our way of life was attacked on September 11, and we will without fail defend it by condemning the attacks; by supporting our friends and neighbours, the people of the United States of America; by rejecting intolerance wherever and whenever we find it; by working together to stamp out terrorism at home and abroad; by protecting our people's security and our province's economy; but also by doing better what we do every day in this House. If we do these things, Speaker, if we do these things, colleagues, we will have mastered fear and defeated terror, and we will truly pay tribute to and honour the victims and the heroes of September 11. Thank you.

**Mr Howard Hampton (Kenora-Rainy River):** I want to thank the Premier for suggesting this motion. I want to thank all members of the Legislature for the unanimous agreement which has made it possible.

This nightmare of terrorism has affected all of us deeply and personally, from the heroic firefighters and emergency workers who perished while trying to save others to the doctors and nurses and blood donors who have helped in the aftermath. No person who has wit-

nessed America's worst hour can be immune to its horrific impact.

This was an attack on all of humanity. Our challenge is to see that humanity triumphs over the sickness of terrorism and the consuming fear it can create. As we continue to mourn the victims of this horrible catastrophe, we naturally reflect on what it means to each of us, to our families, to our communities, to our way of life.

I want to speak personally for a moment. I lived in the United States for four years in the early 1970s while I was attending university there. Two thousand graduates of the university I attended were in the World Trade Center that morning. Twenty-nine of them of them were my personal friends, classmates, people I played touch football with, people I knew socially, people I debated with. I'm happy to say that so far as we know now, all but two of those people were able to get out of the building.

**1410**

When you read some of the e-mails that those friends, my classmates, post on the university Web site, they are gripping. One says, "I think I'm the only person from my floor who survived." Another says, "I'm OK. I'm in hospital but I have no hair now." Another says, "But for the thoughtful direction of an emergency worker, we would not have survived, a calm voice amid panic that said, 'This way. Go now. Don't stop. Be orderly.'"

An incredible expression of humanity: people who are thankful they are alive but people who acknowledge that so many friends, so many colleagues perished; people who are now trying to make sense of their lives in the aftermath and who say, when you talk to them candidly on the telephone, "I don't know how I will ever come to grips with this. I don't know how I'll ever come to grips with what has happened to me, my colleagues, people I knew."

That is the reality that so many people are dealing with, and it is no surprise in that context that people will feel incredibly angry, that people will have a thirst for revenge. I've spoken to personal friends who have expressed that. That is where I think we as Ontarians, as the best friends of the United States, as the best friends of Americans—I venture to say that many of us here in this room have parts of our family who live on the other side of the border, as I do—have to offer special counsel. This is where I believe we can play the most important role: to offer wise counsel, to offer that piece of advice that may not automatically come from elsewhere when people feel such incredible anger.

What do the events of September 11 mean for Ontario and for Canadians generally? First of all I think we must state firmly and forthrightly that the international community should spare no effort in bringing the perpetrators to justice. We must stand strong in support of the fight against terrorism within our own borders and wherever it exists in this world that today is so incredibly interconnected. But at the same time we must be a voice that ensures there is a considered response, that the will to rush to avenge these despicable crimes doesn't overtake

the body of international law that exists to bring terrorists to justice. We must insist that the international community take responsibility, that the international community exercise judgment here.

We must offer counsel as well to those who would seek punitive, military operations that may at the end of the day only attack the civilian population rather than the individuals who are responsible. Our anti-terrorist actions must take place within the framework of international law and with the support of the global community.

Ontario must be a voice that says that we cannot compromise the historic commitment of Canadians to human rights, to civil rights and to the humane treatment of immigrants and refugees. We're willing to protect those cherished principles and ensure that they also do not become the victims of terrorism in a rush to judgment. In the end, a position that says "an eye for an eye" can leave us all blind.

Throughout the world we are respected for our ability to be a land of many nations, as a place where tolerance, good human relations and democracy prevail. We must ensure that that continues. I believe that the biggest contribution we can make to our American friends is to offer that wise counsel that we are known for around the world.

Within our own boundaries we must recognize that after the horrible attack, we have seen backlash foment. There have been unprovoked attacks on citizens from a number of different backgrounds, both Muslim and non-Muslim.

We have included in our resolution an important statement. In expressing our unity in responding to recent and unfortunate incidents in Ontario and elsewhere of intolerance directed to Muslims and members of other visible minority communities, we must emphasize over and over again that we must be a model for other jurisdictions. We must stand firmly and say that a blind rage, a blind flourish of hate, is really just giving in to terrorism. It is really giving in to that which we want to fight against.

We condemn all hate crimes, and we affirm the commitment of all legislators to uphold our province's proud traditions of tolerance and respect for diversity and to do everything in our power to ensure that all Ontario residents continue to treat one another, regardless of race, religion, background or ethnic origin, with generosity, compassion, dignity and respect.

We must reiterate our firm commitment, our firm opposition to attempt to associate terrorist attacks with any religious or national community. We stand in full solidarity with any and all religious and ethnic communities that have been unjustly associated with these attacks. To do this would be to give in to that which terrorism tries to create. We must say that, and I'm proud that so many have said that.

In our hearts we know that violence begets violence. Nothing is to be gained by indiscriminately bombing mothers and children in another part of the world. Nothing is to be gained by bombing a mosque or a

temple in our own province. Nothing is to be gained by these things, and too much is to be lost.

Yes, we need to move with solidarity, but Ontario, above all, must offer wise counsel: wise counsel within our province and wise counsel to our family members and our friends in the United States.

I started by speaking personally. I want to end by speaking personally. I don't want to look at my phone bill at the end of this month. But I have to say, in talking to classmates, in talking to friends, in talking to people—when I was a university student, we used to engage in heated ideological battles. I came here, back to Canada, to become active in politics of a particular ideology; many of my friends went to Bay Street, many of them went to Wall Street. And we continue to have these ideological discussions.

I would say that in the aftermath of September 11, though, we've all been brought closer. We in fact agree on a number of things that must happen. We agree that the sacrifice of firefighters, of emergency workers, of police officers, is nothing less than incredible in the circumstances; people going into a situation where they know that their very life is at stake. More than that, they know that their chance of survival is probably not very great, yet they go anyway.

We acknowledge the need for strong public action. We acknowledge the need for those public institutions which give us solidarity, which allow us to come together, which allow us to express our humanity and our dedication to society. We acknowledge the brotherhood that unites us all. And I hope that through all of this as we go forward—and I think there will be trying events after this—we can continue to use that sense of humanity that we share together to offer wise counsel within our province and to offer wise counsel to our friends in the United States.

*Applause.*

1420

**The Speaker:** Would all members and guests please rise to observe two minutes of silence in observance of the tragedy of September 11, 2001, in the United States of America.

*The House observed two minutes' silence.*

**The Speaker:** Pursuant to the earlier agreement of the House, each member now has up to two minutes for a statement. The rotation will begin with the government.

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** Mr Speaker, evil exists in our world. Witness the tragedies of September 11, 2001. Enemies of our civilization attacked civilians in premeditated, organized acts of terrorism. These enemies of civilization murdered thousands of people. The victims were mainly Americans, but also citizens of many other countries including Canada. All victims are our friends and neighbours—family.

Our enemies committed mass murder against civilians for a purpose: to destroy our spirit. Our enemies are hostile to the values which our civilization cherishes and defends: freedom, democracy, security of the person,

dignity of the individual, tolerance of diversity. These values are reflected in the fundamental declarations of rights of various nations, including Canada's Charter of Rights. These values must be defended when attacked.

Terrorism seeks to undermine our spirit, to weaken our resolve. What we need is to stand shoulder to shoulder as civilized people against our enemies who would destroy our values. What we need is to be resolute, steadfast and strong in spirit. What we need is to steel our resolve, and we need to be prepared to persevere.

Sixty years ago, in 1941, Albert Einstein spoke simply and eloquently at what must be done to combat organized power. He said, "Organized power can be opposed only by organized power. Much as I regret this, there is no other way."

**Mr Dominic Agostino (Hamilton East):** We stand today united, arm in arm with our friends the United States. We stand shoulder to shoulder with our American friends. We proudly stand with them, we love them and we will support them.

On September 11, a barbaric act by cowards shattered the dreams of thousands of families, thousands of people: moms and dads who will never tuck their kids into bed at night again, couples who will never celebrate a birthday or anniversary together, grandparents who will never take their grandchildren to a baseball game again. Our prayers, condolences and hearts go out to these people and these families.

This horrific tragedy has united Canadians and Americans in a way that has never happened before. Together we will take these challenges on. Together we will face this new world we all have to live in after September 11.

We can't come close to understanding what our friends whose families and whose lives have been shattered are going through today, but we can stand with them today. Our prayers and our hearts go to them.

This horrific act has also brought acts of intolerance in our communities. In my own city of Hamilton, a place of worship has been burned down and another vandalized. People have been taunted. We've got to send out today a very clear message of support to our friends in the Muslim community in Ontario that we stand with you and that we stand against the intolerance and hate that has been expressed by a few Ontarians in the last couple of weeks.

We can overcome this challenge, but we've got to do it together as a province, as Ontarians. We cannot do it fighting against each other. We cannot do it by targeting people. We cannot do it by singling out individuals because of the colour of their skin or their religious background. If we do that, terrorists will win.

God bless America.

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** I'm pleased to support this resolution about our duty, not just to our friends and family, but our duty to all citizens of the world. As legislators, we must act to protect this generation, and we must also ensure that terrorism is eradicated once and for all.

Premier Harris and fellow members, I'm pleased to join with you today in our fight against terrorism. We as

Ontarians have always fought for freedom. Ontario's first Lieutenant Governor, Sir John Graves Simcoe, stood against slavery 75 years before it was abolished by the British Parliament and 100 years before Abraham Lincoln's Emancipation Proclamation.

Ontarians fought against Kaiserism and Naziism when those movements brought terror to the gates of the civilized world. Many Ontarians also volunteered in Korea, and today Ontarians stand prepared to do our duty once again in order to help eradicate this new terror in the world.

As we stand against terrorism abroad, Ontarians today must recommit ourselves to be more vigilant than ever before to ensure that the freedoms we promote and defend are preserved right here at home. Tempers must remain in check, and ignorant attacks against those people we are unfamiliar with must be rebuked and stopped.

Together we must work with the police and local authorities to apprehend those who preach and practise violence in our neighbourhoods. While we stand together to protect freedom at home in Ontario, it is our duty to condemn in the strongest possible terms the terrorists and all those rogue states that support them.

1430

**Mr Rick Bartolucci (Sudbury):** I stand today with overwhelming confidence and enormous faith in knowing there is more good in this world than evil, that good will triumph over evil; overwhelming confidence that despite the devastation, the horrific tragedy, the senseless loss of life that occurred on September 11, we will emerge a stronger people, a stronger province, a stronger country, a stronger international community, with a stronger role in the fact that we will all know that we care about each other just a little bit more, as was evidenced so vividly in my community of Sudbury, where labour leaders came together to hold the first prayer service, where the musicians of my community came together to offer a benefit and where scores of students have visited my office to give me messages to give to the deputy consul general of the United States.

One of them I think summarizes so well the thoughts of the people of Sudbury. It was written by Nathan Prince, a St David student in grade 7. He said:

"Dear Lord,

"Please help our friends in the United States get through this rough time of devastation. We don't understand why such tragedies occur but we do know that we can depend on your love and guidance. Help them to keep their faith. Watch over them as they try to deal with" our "time of sorrow."

The faith, hope and love of children certainly spell the message that we must all care.

**Hon David Young (Attorney General, minister responsible for native affairs):** We are a nation of immigrants. Peoples from every corner of the globe come to Canada. Indeed, many came with little more than hope and faith in freedom's great promise. These people, people from every religion, have been invited to the Can-

adian table. They have been accepted, welcomed—in fact, they have been made essential partners in the peaceful fellowship of man. These values—Canadian values—are shared by great democracies across the world. Free elections, freedom of speech, freedom of the press, freedom of religion and a fair and an open system of justice represent the bedrock of our civilization.

As Attorney General of this great province I have a duty to help protect these treasured freedoms. But in light of the recent atrocities south of the border, nothing short of our way of life is under attack. The forces of intolerance, the forces of extremism have extended their insidious reach into the great symbols of freedom and democracy. Now the brotherhood of nations must thwart the dark designs of a discredited regime. The drumbeat of democracy must continue to sound its message of hope and renewal, and we are here to collectively pledge today that we will do everything we can to keep alight the fires of freedom. Working with the police and other authorities, we will assist in every way possible our American brothers and sisters in their time of need.

I state to you clearly and emphatically that there is absolutely no place in Ontario for racial intolerance, hatred or wanton vigilantism. We in this House are here to say that we will pledge to defeat those who put intolerance before understanding and extremism before reasonableness. Their hurtful acts know no humanity, and we must act to ensure that they will have no future.

**Mrs Marie Bountrogianni (Hamilton Mountain):** Terror capable of being imagined and perpetrated only by madness and ignorance has changed our world. Today we are faced with the reality of our vulnerability and profound need for heightened vigilance. We pledge our resolve and our support to combat those responsible for the horrific attack on America. Our goal must be not only to restore the freedom of our way of life that was attacked but also to ensure that such atrocity will never again take place.

Violence in all forms, regardless from where it comes, cannot be tolerated by civilized people. As a legislator I must denounce the hate crimes witnessed in many Ontario communities, including my own. It is intolerable that the Muslim mosque on Hamilton Mountain was vandalized; in a neighbouring riding the Hindu Simaj Temple burned to the ground.

At no time has it been more important to stand as an elected assembly united by values of tolerance and respect. There is no room for intolerance and intimidation. We have been re-evaluating our security practices as a country, as a province, as a community and as individuals. We need to do more to safeguard against terrorism and we need to do more to stop hate crimes. Local municipalities will need additional resources to ensure that all their citizens are safe.

We need to be role models for the children of Ontario. We need to assure them that they are safe and that the individuals responsible for the recent attacks are not part of our community. We need to provide Ontario teachers with the resources they need to help Ontario students cope with their fears and concerns.

I would like to take a moment to pay tribute to the heroes—the firefighters, the police, emergency service personnel—who, with each call, put themselves in harm's way so that the rest of us are safe.

To the United States that has lost thousands of its citizens, and to the families that have lost loved ones, the constituents of Hamilton Mountain express their heartfelt sympathy.

**Mrs Tina R. Molinari (Thornhill):** On September 11, 2001, life as we know it changed. The world stood still as our minds and our hearts reached out to comprehend the devastating atrocities that flashed before our eyes. Our sympathies and prayers have been and will continue to be with the families of the victims of this most horrific terrorist act.

Many of us will never forget what we were doing or who we were with on that day. The people of Ontario have responded with heartfelt sympathy from all ethnicities and faiths. Many people in my riding took the time to sign the book of remembrance and offer best wishes, prayers, hopes and support for the people of the United States.

One of the special aspects of the province of Ontario is its diversity. My riding of Thornhill is no exception. I take pride in the fact that side by side on Bayview Avenue a mosque, synagogue and Buddhist temple co-exist, peacefully sharing land with one another. Attacks on Muslims and other visible minorities cannot be tolerated. The Muslim community are invaluable contributors to our province. Their religion is a loving and peaceful one. The perpetrators of these acts clearly do not follow Islamic teaching.

There have been heartwarming stories that have emerged from this terrible event. The heroic acts of many citizens indicate that there is a greater part of humanity that exists that is benevolent and courageous. Our society must build on the positive side of human nature and weed out the evil deeds that emerge from all races, creeds and cultures. I know the people of Thornhill will continue to offer their hopes, prayers and support in whatever capacity. We must never forget what occurred and we must keep the memory of the victims forever in our hearts.

**Mr James J. Bradley (St Catharines):** All of us were shocked, horrified and traumatized by an act which took place just a little over a week ago, an act of dreadful terrorism aimed at innocent men, women and children. The horrifying images of September 11, 2001, will be etched in the minds of people around the world throughout their lives.

The outpouring of sympathy and support for our American friends was, I'm pleased to say, immediate and evident in every community in our nation. All of us recall the 100,000 people who stood on Parliament Hill singing the American and Canadian national anthems, waving our flags together.

The people of my own community of St Catharines gave immediately, willingly and generously to assist our American neighbours. Though we know it's a powerful

and wealthy nation, we still wanted to reach out in our communities to help those in distress. Our hearts go out to those who lost loved ones, who had loved ones who were badly injured, whether they are Americans or Canadians or people from around the world who were hurt in these acts of mindless terrorism.

We are thankful to firefighters, police officers, health workers and emergency staff. We recognize the importance of good public services available to us at times of emergency.

We reach out to those in our community who are victims of mindless and ill-informed revenge, particularly those in the Muslim community who have had their mosques and their homes and individual people within their families attacked. The terrorists must be brought to justice—of that, there is no dispute.

But finally, there are injustices in this world to be addressed and indeed there will be for some time to come. But those injustices will never, never, never justify the kind of terrorism that we witnessed on September 11.

1440

**Hon David Turnbull (Solicitor General):** We have all been transfixed by the recent tragic events which unfolded in the United States. Our thoughts are with the families of the thousands of victims, including Canadians, who were lost in this attack. I know our thoughts have been with the firefighters, police and other emergency personnel who responded to the horrific events in New York City, Washington and Pennsylvania. The dead and missing from the attack continue to be in our thoughts and prayers.

I'm reminded of an interview I saw with a survivor of the terrorist attack in New York. He described how, as thousands of people were fleeing down the emergency stairs of the World Trade Center, police and firefighters were racing up the stairs. As we now know, hundreds of these emergency workers never came out again. Police and firefighters put their lives on the line every time they respond to a call. Tragically, sometimes they pay the ultimate price as they work to protect us.

Our government is determined to ensure all necessary measures are taken to ensure the safety of our citizens. I want to reiterate a previous commitment that our government is taking steps to ensure the safety and security of Ontario's families. As we have shown since September 11, the province has a sound emergency response strategy. But in light of the tragic events in the US, we are reviewing the state of emergency preparedness in Ontario, including in our municipalities. We will consult with the police and look at what resources may be required. We will also review how we work with other levels of government and agencies in the sharing of intelligence.

The Premier, the Attorney General and I will report back to the House shortly on these and other counter-terrorism initiatives. Community safety is a top priority for this government.

Finally, let me also restate that this government and the police will not tolerate acts of hatred against Muslims

in Ontario. Muslims across the province have joined in the condemnation of this attack on the United States. I urge all members of the Legislature to reach out to the Muslim community at this time with a message of friendship and understanding.

**Mr Michael A. Brown (Algoma-Manitoulin):** September 11 is one of those days we all remember where we were when we heard the horrific news, an atrocity perpetrated on humanity.

My constituency of Algoma-Manitoulin is very close to our American neighbours. In the summer season, we would host people from Michigan, Ohio, Minnesota, Wisconsin and Illinois by the thousands, perhaps tens of thousands. We are a border constituency. We are very close to our American brothers and sisters, and we want them to know that our thoughts and prayers are with them today.

But life goes on. This week, it was a roller coaster ride for me: the events of the 11th, and then on the 15th on Manitoulin the district of Manitoulin dedicated a memorial to the women who have served Canada in conflicts through the last century. On the same day, my daughter was married. On the same day, Fawzi Farkouh, a man born in Galilee, who moved from Galilee to Lebanon as a child, then to the US to serve the US navy and then to Elliot Lake to be a prominent businessman, passed away. His funeral took place on Tuesday, with literally hundreds of people there. We will remember.

I would like to say to my constituents the words of Franklin Delano Roosevelt, speaking about another matter, of course. He said, "There is nothing to fear but fear itself."

**Mr Bob Wood (London West):** On September 11, 2001, the United States and the world were the victims of a great wrong, a cruel and destructive crime which can be justified by no religion, by no philosophy and by no right-thinking person. Virtually everyone in the world stands in solidarity with the United States in sharing the loss and seeking to avoid the repetition of such a crime against humanity.

As close friends of Americans, Canadians have a duty to offer strong support and a helpful voice to our friends. This Legislature is offering that support today, and I want to make a small contribution to the advice.

First, the road must never deviate from the purpose of the campaign on which we embark: the eradication of terrorism forever from the face of this planet. We must seek the accountability of the perpetrators at a fair and open trial. Justice must both be done and be seen to be done. The United Nations should set up a terrorist tribunal so that the victims may have the whole world denounce this crime. We must always use the righteousness of our cause to find the perpetrators. Ultimately, no one can hide from six billion people. The United Nations must exclude from the benefits of the international community any state which assists terrorism. It must also try to address the problems and injustices on which terrorists prey.

At this time, we as Ontarians must also be sure that our values of equality and tolerance are respected and

that no one is discriminated against in this province because of their national background or religion. Significant good can result from our response to this tragedy. Surely we owe the victims, and ourselves, no less.

**The Speaker:** To all members, I apologize. We are having a little bit of trouble with the clock. We'll keep track of the time, and if members do need to know how much time they have left, they can maybe look to the table. I apologize; we'll try to rectify it.

**Mr Michael Bryant (St Paul's):** I wish to say a few words about broken hearts and a hope for politics redeemed in a new age where planes full of innocents can pierce through stone and glass and steel, knocking the wind out of the sails of an era of glorious prosperity and peace, in a new age where heroes die not on a battlefield but going up the fire escapes of civilian office towers turned to dust. The bloody, smoky, dusty inhumanity of it all, in a New York minute, has left our hearts broken for a time.

So now we must deal in this new era and seize it, I suggest, with a politics redeemed, a politics that resists the adolescent frivolities of the politics of old and embraces a more grown-up politics of necessity and security. It's security that Ontarians want, and the thirst for security will require a level of political co-operation as inspired as the courage of our firefighters, our police and our rescue workers. Our hearts may be broken for a time, but our politics must be the better for it.

I hope all Ontarians understand that all their MPPs, no matter what their political stripe—we won't let you down. Our conviction is resolute, as is our determination for justice and liberty for all Ontarians, particularly those subject to intolerance and hate. That determination is now the most important political mission of the contemporary era. We will resist partisan trivialities of the past; nor will we engage in blind deference to authority, insisting always upon an adherence to the rule of law and a veneration of life and liberty and justice. Members of provincial Parliament will not be mouthpieces of the masses nor messengers of executive decree; rather we will seek, I hope, to consolidate consensus in the name of what is good and just.

Our hearts may be broken, Ontario, but those broken hearts will one day be the better for it.

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** I rise today to join my colleagues here, and the voices of the people of Ontario and around the world, in condemning the shocking murder of thousands of innocent people on September 11. On behalf of the people of Haliburton-Victoria-Brock, the riding I have the honour of representing, I want to say that our sympathy and our prayers go to all those who have lost and who suffer as a result of those barbaric acts.

1450

It's often been said that fear is the parent of cruelty. Terrorists often cloak themselves in religious righteousness and misplaced persecution in order to hide the illegitimacy of their deeds. But make no mistake, it is

fear—fear of freedom, fear of liberty—that led to these cruel acts. We must not let our own fear lead us to condemn our Islamic brothers and sisters who value and embrace peace and freedom.

I'm confident that the people in the cities and towns and municipal leadership and all the residents across the province of Ontario will rise and stand together with courage to do what is right; people like Janet and Alex Carley of Bobcaygeon and Harmon Allen of Fenelon Falls. These three paramedics volunteered their time and went to New York to provide emergency assistance during this crisis. I commend their compassion and I know they are not alone. People everywhere in Ontario are finding ways to help and to express their support for the victims of this tragedy, and they all pray that terrorism will be stopped.

Until this evil is eradicated, we will all have a role to play. We will find ourselves making sacrifices, some small and imperceptible, others great and onerous, but we will make these sacrifices willingly and with pride.

My closing thought is for our leaders, as they face the challenge in this war against terrorism. In the words of William Shakespeare, we pray that they "be just and fear not," and we will win this war.

**M<sup>me</sup> Claudette Boyer (Ottawa-Vanier):** Il va sans dire que les événements récents qui ont secoué nos voisins américains furent une tragédie sans pareille. De plus, comme répété à maintes reprises, il est important de souligner que cela fut une attaque sur la démocratie dans son ensemble en plus d'un assaut grave contre les États-Unis.

Many, if not all of us, have some sort of connection to someone in New York City. Whether it be our own family, friends or someone we know, we all felt some deep sorrow following this tragedy. We all felt personally attacked.

Just last week a very close friend of mine who has been touched by this tragedy contacted me with concern for her loved ones. Two of her sisters work in New York and live in the vicinity of ground zero. They have not been able to access or re-enter their home since the attack and find themselves left with very little of life's essentials. Funds for them are running out rapidly and they are now turning to the Ontario government for help, which I am assured won't let them down.

C'est avec fierté que j'appuie la résolution de l'Assemblée législative de l'Ontario de se joindre avec unanimité aux gouvernements du monde entier à condamner ces actes d'horreur, ainsi que les auteurs qui les ont commis. L'engagement à rendre disponibles les ressources de l'Ontario afin de venir en aide aux citoyens américains, ainsi à plusieurs Ontariennes et Ontariens travaillant aux États-Unis, est essentiel pour soutenir les efforts visant à rétablir les dommages accablants qui ont été subis.

I stand in unison with my colleagues, resolute that Ontario stands ready to help bring to justice all those responsible for these heinous acts and pledges to do everything within its power to ensure that there is no place in Ontario for agents or supporters of terrorism.

Finalement, monsieur le Président, c'est avec dignité que je veux vous remettre le livre commémoratif que j'ai mis à la disposition des commettantes et commettants d'Ottawa-Vanier afin de leur permettre d'offrir leurs vœux de condoléances et d'exprimer leurs sentiments auprès du peuple américain face à cette tragédie.

Please accept, Mr Speaker, the remembrance book signed by all people from Ottawa-Vanier. Merci beaucoup.

**Mr David Caplan (Don Valley East):** Our first thoughts, of course, are for the victims of this terrible tragedy, this monstrous crime, the men and women, their loved ones, their family members. But as we quickly came to discover, it was much more. It was an attack upon the United States of America, upon western democracy, upon freedom, upon all the values that we cherish and that we hold dear. And so it is appropriate that the world is in mourning. When in a time such as this, such tragic events, we fall into the grieving process. We're all in grief and the world is in fact in grief. It's very interesting; there are seven stages to grief.

The first quickly followed: shock and denial. How could these horrible events even take place? And quickly we all looked to a higher being and said, "How could this happen? Please don't let it be so." Then we see fear and anger come, and I think that's where we are today. We are angry, we are fearful, we're concerned about our security, about our neighbours, whether we're in New York, Washington, Toronto or anywhere else in the world. But after anger comes despair, and after despair, finally, acceptance.

It is inevitable that as individuals we go through these stages, but I think as our collective being, we go through them as well.

It is important to remember and it is important to know that as we pass through each one of these very important stages of grief, we do not take rash action. In the riding of Don Valley East that I represent there is such incredible diversity of people. We live together, we work together, we are prosperous, we are in harmony, and it is important that we all stand shoulder to shoulder, as I know that we all do. So there is one final conclusion to it all: that as a people, once we have come through and once we've accepted, we all stand shoulder to shoulder. I know we do.

Our hearts go out to the victims of this terrible, terrible tragedy.

**Mr John O'Toole (Durham):** I respectfully rise today to discuss the ways in which the citizens of my riding of Durham have come together to assist our friends and neighbours in the United States during this tragic time of need.

Within hours of the September 11 tragedies in New York, Washington and Pennsylvania, my constituency office received a number of calls, and visits, I might say, from ordinary people: GM employees, auto workers, Darlington nuclear plant employees, municipal leaders. I would say the police, the fire, health care workers, neighbours and friends and generally my constituents

came together. They came together to offer the kind of support they could give to their friends.

Durham riding is a caring community, and everywhere people were asking if there was anything they could do. Within hours, the ministerial association from Clarington arranged a memorial service.

This resolution answers the people of Durham and the people of Ontario. It commits the resources of Ontario to assist our neighbours in the United States. It declares Ontario's stand for bringing justice to those responsible for this act of terror. It affirms that Ontario will do everything possible to ensure there is no place in our province for agents or supporters of terrorism. At the same time, it speaks of our cherished traditions of tolerance, freedom and respect for diversity.

On a personal note, my son Erin is a past captain in the armed forces, and my son-in-law, David Lohse, is an F-18 fighter pilot from Australia, now at the Top Gun pilot school in California. I can assure you their lives and ours are affected.

Terrorism plays on fears, as many have said, and this fear threatens our freedom. As Jean-Jacques Rousseau said, "Man is born free, yet everywhere is found in chains." This past incident shows the fragility of freedom.

Please know, our friends, our thoughts and prayers are with you. United we stand.

1500

**Mr Mike Colle (Eglinton-Lawrence):** President Bush today, standing beside our own Prime Minister Chrétien, said, "There should be no doubt in anybody's mind about how honoured we are to have the support of the Canadians ..." Bush said Monday he suspected someone in Canada was trying to play politics with relations between the two northern hemisphere neighbours. Bush said, "Now is not the time for politics. Now is the time to develop a strategy to fight and win the war." That was President Bush, just before noon today.

I think that as lawmakers, as Canadians, we owe it to the veterans who fought in World War I and World War II to remember what they sacrificed and why they sacrificed so much. They sacrificed so much to protect our freedoms and our liberties. Our families and our citizens enjoy those freedoms and liberties because of those sacrifices. So if we are to keep those freedoms and liberties and protect our families, we have no choice but to stand up and join with our American brothers and sisters to ensure that justice is done, that those hate-mongers who perpetrated those acts on innocent citizens in the thousands, must be brought to justice. These Canadians must unequivocally stand side by side, as a united country—not as members of this Legislature or as Torontonians. We are Canadians. We are members of NATO. We are allies. By standing side by side with our American friends, we will defeat these hideous criminals.

We must come together, rise to the occasion, put party politics aside, support our Prime Minister, support President Bush and all the leaders of the free world, and take the example of Prime Minister Blair of Great Britain,

who stood up and said unequivocally, "Enough is enough. I'm there with you." That's how we will compensate in some small way the victims in New York and in Pennsylvania. We will survive because we have the legacy of our veterans who did so much. So let's stand strong and stand together on this critical issue.

**Hon John Snobelen (Minister of Natural Resources):** I was in America on September 11. I watched the tragic events of that day unfold not on CNN but in the eyes of my American friends. I saw the initial shock and horror displaced by those twins, fear and anger, and eventually by a steely-eyed resolve that this would never happen again.

At home in Canada, our compassion for the victims was immediate, heartfelt and steadfast, but our collective resolve has yet to find a voice. There are some who still believe that America was attacked on September 11. In truth, freedom was attacked. We were attacked.

We must do three things now: we must find and remove any and all criminals who are unlawfully in our country and who threaten our security; we must join our American cousins in ensuring a North American security net with no weak links; and we must join nations around the world that value freedom and liberty in seeking out and eradicating terrorism anywhere it finds a home in the world.

To do less diminishes the legacy of our parents, our grandparents and our great-grandparents, who acted with great courage and determination to defeat the madmen and terrorists of their day. I pray that we have the courage and determination of our parents and grandparents.

**Mr Joseph Cordiano (York South-Weston):** The terrorist attacks that took place in New York, Washington and Pennsylvania were not just attacks on the US, not just attacks on Americans, not just attacks on our western way of life. No. These were attacks on all humanity, on all races, creeds and religions. The people who died in the attacks, the victims, came from all over the world. Their lives and our lives will never be the same.

These terrorist attacks were evil in its purest form. In order to defeat the scourge of terrorism, we must now summon the will to renew our faith in our humanity, in our democracy and our faith that we have in each other. Only by working together with people from around the world can we defeat the evil that now threatens our freedoms, our democracy and every single one of us.

**Mrs Julia Munro (York North):** I welcome the opportunity provided today by the unanimous agreement to this resolution.

I, like everyone else, have been moved by the events of September 11. My responses were typical, as I went from shock to disbelief, to horror and profound sadness. It was brought home to me by a simple act: my husband had lowered the flag on our lawn. As I turned into my driveway that evening, I was overcome by another feeling: that this was an assault. It was an assault on my values, on my sense of freedom and justice, on the very foundation of democratic principles. It is a tragic reminder of our responsibility to practise, to uphold and, yes, to protect and defend those values.

The road to democracy is not an easily travelled route; it is a journey that has cost many lives in every generation. Just days before the terrorist attack, I joined members of my community, led by RCAF squadron 429, to commemorate the anniversary of the Battle of Britain. Times have changed, technology is different, but the threats are similar.

When I stand for two minutes of silence, I pray for those who have lost loved ones, that they may have personal strength and courage to see themselves through those dark days of pain. I also pray for the coalition of those around the world entrusted with leadership, that they may act in the coming days, weeks and months with wisdom and fortitude.

**Mr Bruce Crozier (Essex):** Where were you when you learned of the horrific events that occurred in New York City, Washington and Pennsylvania on September 11? No doubt, we may be asked this question over the years, perhaps by our children or our grandchildren.

Joan and I were in a foreign country. We were in Burgau, Portugal. We were just coming out of a small market, a mercado, and I noticed in the café next door that there was a picture on television of the Pentagon with smoke rising from it, so I went into the café. Not a word of English was spoken, and I don't know but a few words in Portuguese, but they turned to me, first, I think, thinking I was an American, but then they could see the Canadian flag on my lapel. They immediately tried to describe to me, in their way, what was occurring in the United States and, in fact, found an English version of CNN so I could find out myself what was happening.

Being in a foreign country, hearing of an event in or near your homeland that's going to change the world, puts a different perspective on it. Were we afraid? No, I don't think so. Were we concerned? Yes. Were we apprehensive? To some extent, because we didn't have our family near us. But we thought of those who suffered. We thought of those who died. May their God be with those who died, who were injured and with their loved ones.

**Hon Robert W. Runciman (Minister of Economic Development and Trade):** Thank you for this opportunity to express on behalf of myself and the residents of Leeds-Grenville our deepest sympathies to the families and friends of the victims of the September 11 atrocities and to the American people.

1510

I also want to take this opportunity to say a few words about perceptions of the United States in our country. Last week, not surprisingly on CBC, I heard a Canadian woman say, "I don't want any part of their war." "Their" presumably meant the United States.

People who know me well know that I've always been a big fan of Americans and I've worn that sentiment on my sleeve. I think it's fair to ask where we can find better friends, where we can find more dependable protectors of our security or more important providers of jobs and economic growth for our citizens. The answer is easy: there are none.

Perhaps I like Americans because I know Americans. I grew up and continue to live on the border of New York state. I spent—some would say “misspent”—many days of my youth in places like Ogdensburg, Morristown, Clayton and Alexandria Bay, New York. I have American friends and acquaintances. My youngest sister married a New Yorker, my brother a girl from Pennsylvania. In my part of Ontario, Americans are truly just-down-the-street neighbours, and wonderful neighbours.

Unlike the lady featured on the CBC, I believe their war is our war and must be our war. An attack on the United States is an attack on all freedom-loving people, but especially on all who share this great continent. Anti-Americanism in Canada has always offended me and frequently angered me. As author Robert Fulford wrote recently, “It is among the ugliest manifestations of the Canadian spirit.”

In the last 13 days we’ve heard many people speak or sing the words “God bless America.” In reality, all of us who believe in truth, justice and freedom for all should bless the United States of America.

**Mr Alvin Curling (Scarborough-Rouge River):** I and the people of Scarborough-Rouge River wish to express our condolences to all those affected by this violent and hideous act of terrorism in the United States of America.

People all over the world are shocked and dismayed by these acts of terror and violence. And while we are angry and unable to find an answer to the question why, we must be resolved in our response and stand firmly together as Christians, Hindus, Jews, Muslims, Sikhs and every other religion and faith to condemn all acts of violence in our society. All acts of violence must be seen as an act against humanity, a humanity of love and peace. A Baha’i leader has said, “It is time to see each other as one family and the whole earth as one home.” It is also a time for us to think rationally and peace-mindedly and convey to our children that we believe in non-violence and the peaceful resolution of conflict.

There are members of my constituency who are frightened and fearful of the current backlash. Martin Luther King reminds us, “He who passively accepts evil is as much involved in it as he who helps to perpetuate it. We cannot turn our dream for world peace into an obsession dominated by hate and the denial of human rights.”

In the midst of what would seem to be a world of chaos, let us as politicians become united in our resolve to build a better society, a free, inclusive and caring society of goodwill. We can be guided by the recipe of love. As Martin Luther King stated, “Hatred paralyzes life; love releases it. Hatred confuses life; love harmonizes it. Hatred darkens life; love illuminates it.”

Let us live in the light of our will to create a future to the next generation, a future of peace, love and hope.

“Non-violence is the answer to the crucial political and moral questions of our time; the need for mankind to overcome oppression and violence, without resorting to oppression and violence.”

God bless us all.

**Mr Joseph Spina (Brampton Centre):** Today I don’t just speak for me and my constituents but most particularly for my neighbourhood, for within sight of the front doorstep of my own home I have Canadians and Americans of Italian and Portuguese families, East Indians, West Indians, Lebanese, Greek and Pakistani. Together we send our condolences to those thousands of victims and families of loved ones who were needlessly murdered on September 11.

From the fire, smoke and ashes of New York arose many heroes. Some of those were from Brampton. In Brampton, the outpouring of concern and offers of help started mere hours after the scope of this disaster was realized. On that dreadful day, four individuals coming off their own work shift, Rob Morrison, Brian Gorman, Neil Kennedy and Scott Walker, jumped into a car at 8:30 pm and headed south. Those four Brampton firefighters, without waiting for permission to make its way through the bureaucracy, jumped in a vehicle and drove to New York, offering their time and their expertise to the massive cleanup. At 26 hours, it was their longest-ever response to the call of duty. And few of us knew until CNN picked them out.

Gorman recalled, “We saw all this devastation and we were numb.” Then a woman was pulled from the rubble. The local firefighters were on the rescue line and passed that woman to the waiting paramedics, who revived her.

Emotions were boosted for all when US President Bush visited the site. Walker shook his hand and told Bush that the four were from Canada, and Bush responded, “Thank you very much for coming down here. We really appreciate your support.” I think Rob Morrison said it best when he said, “It’s part of the job, part of who you are.” Rob, I couldn’t agree with you more.

I wear an eagle on my lapel because it represents the strength, power and freedom of the bird and of that of the United States. God bless America.

**Ms Caroline Di Cocco (Sarnia-Lambton):** The mantra we hear over and over is that the world has changed, and there is a stronger and deeper sense of vulnerability that now permeates our daily lives. September 11 made me feel more connected to my family and friends.

Border cities like Sarnia-Lambton feel a particular affinity to the United States. It being a border city, the impact is more pronounced due to the strong relationships of people and local governments. Sarnia-Lambton is unique in that we have a mutual aid agreement with our fire and police services. It is one of the few jurisdictions I know whereby our police actually assist the Port Huron police within the US borders in crowd control during the international parade. Our communities are entwined socially, economically and personally. The long line of trucks we witnessed was the immediate result of the changes made to make the border crossing more secure.

Over 1,000 people have signed the condolence book at Sarnia city hall. Police cars flew small American flags. Sarnia police and fire services volunteered for New York.

Numerous church services took place and a candlelight vigil was held under the Bluewater Bridge.

We see over and over this need to gather together as a way to comfort one another. There is a wide array of emotion each one of us feels, such as deep sympathy, sadness, pain, anger, outrage and a need for spiritual reflection about what is relevant in our lives and in the world. There is no justification for these crimes and they are not to be tolerated. Terrorism cannot be cloaked in a religion, ethnicity or heritage, and we must never paint nations, races or peoples with the same brush. I believe that we as legislators have a more profound responsibility to continue to do our jobs.

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet):** The last several days have been very difficult ones, not only for our American friends but also for people all around the world. This senseless act of terrorism has struck hard at the lives of thousands of innocent men, women and children. Today we all share the sadness of our American friends, and I and all the people in the town of Markham, regardless of ethnicity, colour or religion, send them our condolences and prayers.

1520

Canadians everywhere share the grief of the survivors for the mothers and the fathers, for the children and the grandparents, for the friends and the colleagues, the firefighters and the police officers who have perished in this senseless act.

This is a defining moment of democracy. This is the time for all decent people to stand together, shoulder to shoulder, to face down terrorism. This is a time when all of us must show some courage and determination in our day-to-day lives. This is a time when the brave few will stand above all others by their heroic deeds to protect our right to live free of fear. This must be a time of unity, of purpose, of strength, of heart and of spirit.

History remembers Canadians for all that strength of purpose and courage, especially at times when the world has been at crisis. Winston Churchill described the theme of his book *Their Finest Hour* as "How the British people held the fort alone till those who hitherto had been half-blind were half-ready."

Our American cousins may call. We must be prepared to answer.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** On behalf of the people of Hastings-Frontenac-Lennox and Addington, I would like to offer our prayers and deepest sympathies to the victims and their families of the tragedies in the United States.

Since the horrific events on September 11 in New York, Washington and Pennsylvania, I have had the opportunity to visit many communities throughout my riding. They are absolutely united in their sorrow for the victims and their families who have been directly touched by this tragedy. They are absolutely united in their awe and admiration for the firefighters, the policemen, the emergency workers—indeed the heroes of this horrific event. They are absolutely united in condemning

such acts of terror as senseless and barbaric and an affront to all that we value as a free and democratic society. They are absolutely united in their compassion for our American neighbours, and have shown this by acting immediately to hold prayer services, to donate blood, to sign the books of condolence that have been located in many communities throughout my riding, to donate their time and resources to assist the families and communities of the tragedies. They are absolutely united to support any initiative of this government to assist our American friends to bring to justice all those responsible for these heinous acts.

Finally, I know I speak on behalf of all of the people in my riding when I say, God bless America.

**Mr Ted Arnott (Waterloo-Wellington):** I was working in my riding office on September 11 at 9 am, the day the world changed. Shortly after 9 I was speaking on the phone with Mrs Betty MacDougall, a lady I know in Harriston. She told me that she had just seen a plane crash into the World Trade Center in New York live on television. At first I thought she was kidding. Then it occurred to me that this lady, who had lived in a coastal town on the English Channel during World War II, whose husband, Tuffy MacDougall, was a veteran of the Battle of Normandy, would never joke about a thing such as this.

I had to leave my office a few minutes later to attend an event in Kitchener, a sod-turning for a new nursing home. As I was driving there I listened to the CBC, listened as a shocked reporter described the images of first one and then both of the twin towers collapsing to the ground in ash and flame and in blood. Then came the rumours: the crash at the Pentagon and finally the crash in Pennsylvania. Like everyone, I was stunned, incredulous at the scope of this mass murder, this act of terrorist war declared on us by suicidal fanatics and their cruel handlers. Like everyone, I spent the next three evenings riveted to the television in an attempt to gain an understanding of what was happening and why.

On the Friday of that fateful week, I attended a memorial service in Kitchener at city hall where over 1500 gathered on a few hours' notice to share their grief, their sadness and their prayers for the innocent airline passengers and crew, the firefighters, the police and emergency medical service staff who had lost their lives. We prayed for their families and for humanity on a day when evil seemed to have seized the upper hand.

Thirteen days ago, painfully and without warning, we were assaulted with the realization that even in our time, not just in history, unspeakable evil not only exists, but it is capable of inflicting horrific carnage on the civilized world. We must take steps to protect our families and our citizens from such evil, even as we ask God to guide the decisions of our leaders in the weeks ahead. We know not where the path of resolve and resistance to terror will lead but, with God's help, evil will never win out in the end.

This is not a religious war. In fact, we know that it has nothing to do with religion. The terrorist leaders may

claim to be Muslims, but their evil acts betray the fact that their beliefs are a perversion of Islam. This is why all of us as members must condemn harassment or threats of violence committed against Canadians who adhere to the Islamic faith. And we must support our American friends in every way possible and in every request they make of us.

The reality of geography means that our security in this conflict is inextricably linked with the United States. The reality of economics means that our prosperity is inextricably linked with the United States. And the reality of our bonds of friendship and affection demand nothing less than unconditional support.

In our vast country, devoted to peace but courageous and fearsome when called to arms, we have sought the shelter of security under the NATO umbrella for decades. We must not now shirk our responsibility, but ask to take our turn in holding it. We must do our part.

I close with the same message of solidarity and hope that President Roosevelt sent Prime Minister Churchill in 1941, and I say to our American friends:

Sail on, O ship of State!

Sail on, O Union, strong and great!

Humanity, with all its fears,

With all the hopes of future years,

Is hanging breathless on thy fate!

**Mr Dwight Duncan (Windsor-St Clair):** The acts of September 11, while directed at the United States, were a direct affront to our values and way of life. Economic, political and cultural links between Canada and the United States are felt closely and personally in my home, Windsor. For us, the United States is more than a foreign superpower. Americans are our friends, our co-workers, our neighbours and our family.

To grow up in Windsor is to grow up proud of being Canadian, but more mindful than most of the important links between our two great nations. My first job was delivering the Detroit Free Press. Hundreds of my constituents work in the United States, and many hundreds more commute there daily across the river.

Living in Windsor, we have celebrated with and shared the sorrows of our American neighbours. I remember vividly celebrating the Tigers' 1968 and 1984 world championships. Equally, I remember with fear and sorrow the tanks coming into Detroit to quell the riots of 1967. Watching that great city brought to its knees when America was at war with herself still evokes a deep emotion in those of us who witnessed it. Yet two years later, America put a man on the moon and returned him safely home again. We all shared in that triumph of American ingenuity and perseverance.

Some 94% of Ontario's exports go to the United States. Still, in Windsor, in our daily lives, trade means having a few American dollars in your wallet at all times in case you decide to go to Detroit for lunch and to meet friends.

I will vote in favour of today's resolution. But moreover, I believe that as a country we must stand strongly behind our American neighbours. We must steel our-

selves for the challenge of war. We must be prepared to fight terrorism and those states that support it with resolve and courage. We must remind ourselves that this is not a war against Islam, but a war against terrorism. We condemn those who perpetrate hate crimes against our Muslim brothers and sisters.

In conclusion, while this is about a grave international threat, to me it's about friends, family and neighbours. It's about my godparents, their children and grandchildren: proud Americans, cherished friends. It's about my cousins and their spouses: proud Americans, dear family. It's about my next door neighbours: proud Americans, staunch allies. Most of all, it's about defending our way of life in the face of challenge. It's about facing evil and destroying it. God bless America. God bless this great country of ours, Canada.

1530

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** Because I was on tour in Windsor the day of the terrorist strikes against the World Trade Center and the Pentagon, I learned about the enormity of what was happening that day just a small portion at a time. Yet even in the fragmented, disjointed way the news came to me, it seemed clear that this act of war would be as defining as moments that had happened in the past, such as the Kennedy assassinations in the 1960s or Pearl Harbor, which happened in the 1940s. We will always remember where we were on September 11, 2001.

As the Kennedy assassinations had an effect on my life, so will September 11, 2001, have an effect on the lives of my children. They watched, via TV, planes crashing into buildings, buildings falling, people's lives ending and/or shattering. They had never thought it was possible. They thought they lived in a safe world.

Yet they also watched remarkable acts of heroism. They watched heroes who apparently stopped a plane from flying into the White House and saved many, many lives. They watched firemen and policemen rushing to help when they knew they endangered their own lives. They watched the people of New York come together to ensure that they all chipped in to make a difference. They watched the people of America and Canada mourn and at the same time ask, "What can we do to help?"

Will our children's lives change as a result of September 11? Yes, of course they will. It's our responsibility to ensure that the lives of the people who died that day are not in vain; that our children, with their new terrorist realities, learn tolerance, peace and love for their fellow man; that we take the events of that day and ensure we eradicate terrorism and at the same time learn.

**Mr John Gerretsen (Kingston and the Islands):** I too join with all my colleagues in the House in expressing our collective sympathy on behalf of all Ontarians whom we represent for the lives that were lost in New York, Pennsylvania and at the Pentagon.

I too live in a border town, Kingston. For the past 200 years, there have been extremely close ties with our American neighbours across the river. Indeed, many

families have members in both Canada and the United States, and many friendly athletic competitions take place on a regular basis.

Almost immediately after this event occurred, memorial services were held in churches and at our city hall. A book of remembrance was signed not only in my office but in churches throughout my riding as well. Just to read the messages that people left, the ideas they wanted to share with somebody, is indeed not only worthwhile but extremely moving. They go all the way from a message which reads, "I'm 32. I cried and cried. That was sick. I'm so sorry, so sorry"—the despair that message contains—to messages that simply say, "I feel your pain. May the spirit of life keep you strong. Good luck to the United States of America."

When a tragic event like this happens, we must also remember the tremendous sacrifice that is made on a daily basis by our firefighters, by our military, by our police officers, by our emergency workers throughout this country. We know those people played an extremely large part in New York, and indeed many of them lost their lives.

This indeed was a very sad day not only for the United States of America but also for Canada. Let's learn from it, and let's make sure we leave a better world to our children. God bless Canada, and God bless the United States of America.

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** Over the last two weeks, the Ontario Legislature has been travelling the province conducting hearings. Wherever we went, as NDPers or Liberals or Conservatives, we witnessed this outpouring of emotion for our American neighbours. Just on Friday, I recall sign after sign in North Bay saying, "God Bless America."

People were very proud of the government of Ontario. At 8:48, a plane entered the north tower. At 11:08, Ontario was on full alert through our Emergency Measures Organization: air ambulances, police and firefighters at the ready.

Last year, CSIS reported 50 terrorist groups in our country. Immigration policy, border control and security have clearly been found wanting. President Bush has said, "Our enemy is a radical network of terrorists and every government that supports them."

We'll all fight terrorism wherever it may be found. I have travelled across Afghanistan. I know it will be a tough fight. I did a stint in the militia in 1963, and I'm saddened by the neglect of our Canadian forces since that time. However, our firemen, police and paramedics are well equipped and can play a strong role in dealing with terrorist acts, a role that must be enhanced by municipal dollars, provincial dollars and federal dollars.

There is also a role for our teachers to better prepare young people to deal with a world that may well be different, whether it be teaching first aid, self-reliance or cadet drill.

Nothing justifies hatred or violence against any minority, their children or their place of worship, but nothing must deter a counter-war against terrorism. We must not

allow the enemy the satisfaction of us losing sight of the real battle.

**Mr Michael Gravelle (Thunder Bay-Superior North):** On behalf of all the constituents of my Thunder Bay-Superior North riding, I am deeply honoured to speak in favour of this vital resolution before us today.

Like everyone else around the province, the residents of my riding were deeply shaken by the series of horrific events that took place on September 11. Many tears have been shed, many prayers offered, and an alarming sense of confusion and fear has grown as we all grapple with a new insecurity about our future that was simply not there before that fateful day. That is why we need to support this resolution before us today.

We must condemn these attacks, and we must bring to justice all those responsible for those acts. But we must also reaffirm the commitment of all of us in this House to uphold our province's proud tradition of tolerance and respect for diversity and to do everything in our power to ensure that all Ontario residents continue to treat one another with compassion, dignity and respect, regardless of race, religion, background or ethnic origin.

I come from a community and a region that I am proud to say draws its great strength from that very diversity. All of us are struggling with how we should react to this enormous tragedy. But I must tell you and members of this House that in the aftermath of that sad day, the people of Thunder Bay and northwestern Ontario responded with great emotion on behalf of all the victims. Over 1,300 people went to city hall and sent heartfelt messages of condolence to our American friends. Hundreds more went to our federal and provincial constituency offices to do the same.

An ecumenical service was held on the evening of September 11 at St Patrick's Cathedral in Thunder Bay, which brought solace to the hundreds who attended and gave us all a chance to reflect and pray together.

September 11 was indeed a dark day, but I remain convinced that the world can still be a beautiful place. Despite the anger, sadness and fear that has attended this attack on America, I truly believe we can all still make a positive difference if we recognize that we must truly care for and respect each other.

Justice must be done, and Canada must be part of this battle against evil, but love and compassion must be what remains.

**Mr David Christopherson (Hamilton West):** I begin by first expressing, on behalf of the citizens of Hamilton West, our shock and horror at all those who lost their lives and our sympathy to those who lost family members.

On September 15, four days later, in Hamilton and around the world, we once again saw the face of hatred with the burning to the ground of a Hindu temple. I want to say very clearly in this House today that that is not the face of Hamiltonians. The faces of Hamiltonians are ones like the phone call I received in my constituency office on September 11 by mid-afternoon from a constituent who wanted to know where they could donate blood.

When we told them where the usual place was, they said, "I've already been there. There's a lineup. Is there somewhere else I can go?"

The real face of Hamiltonians is the one we saw on September 19, when Police Chief Robertson called together political leaders, community leaders and religious leaders from the Muslim, Christian, Jewish, Sikh, Hindu and other communities, where we stood shoulder to shoulder and said, "This kind of hatred does not reflect Hamilton; it does not reflect the values that we care about."

1540

There is a statement circulating across Hamilton right now that I'd like to read into the record. It reads as follows:

"We are concerned individuals, community groups and agencies within the Hamilton region. Collectively, we are committed to the principles of equity, peace and social justice.

"We, the concerned people of Hamilton, have learned with deep sorrow and anguish of terrorist attacks in the United States, on the World Trade Center and the Pentagon, resulting in extraordinary loss of life as well as damage to property and the global economy. These cowardly acts of terrorism are despicable, and we condemn them in the strongest possible terms. Whoever has perpetrated these atrocities against innocent civilians has done so totally against the teaching of any religion or philosophy of the world. We express our deepest sympathies and condolences to the families who have lost loved ones and of those who are still missing. We earnestly pray for the survivors as they deal with this trauma and we pray that there are no further victims.

"We know that this incident has provided an excuse for some individuals with destructive intentions to attack members of various communities, as well as the spaces where these communities come to meet and to worship. In the past few days, some parents are afraid to send their children to school and we have witnessed attacks on mosques and Hindu temples in Hamilton. Clearly, such hate-motivated attacks provide a platform for hostility against innocent community members. We firmly believe that those who fail to actively condemn these acts of hate are themselves acting irresponsibly.

"We urge all Canadian citizens and Canadian governments at all levels to defend vigorously the civil rights of each one of us in this crisis, especially as racism and intolerance may be exacerbated by fear, anxiety and ignorance. We encourage citizens and decision-makers alike to uphold Canada's reputation for respecting the principles of peace and justice, and we urge our government to act on these principles rather than supporting a simplistic and destructive quest for vengeance."

**Hon Brad Clark (Minister of Transportation):** We've all been horrified by the terrorist attacks in New York, Washington and Pennsylvania. Words can't express the deep sorrow we all feel for the American, Canadian and international victims of this terrible tragedy.

I have been equally dismayed by the appalling acts of a few misguided people in Ontario in apparent retaliation for what has happened in the United States. I am sad to report that my own riding of Stoney Creek has been the scene of some of these despicable acts of ignorance and hatred: a Hindu temple destroyed by fire, a Muslim mosque vandalized. As a result, some people in my community are now afraid to leave their homes. Some don't want to go shopping for their families; some don't want to go about their daily routines because they are afraid they'll be targeted. That's not the Ontario I know; that's not the Canada that I value.

Those who want to intimidate or strike out against their innocent fellow citizens don't understand what is best about Ontario, what's best about Canada. This is a great province and a great county, and it is great because we embrace our cultural differences and share the same values of respect, dignity and human worth. Despite our anger and emotion, we must draw on the strengths of our diverse cultures and faiths.

So I'd like to ask all the members of this House and all of our citizens to show leadership, not by preaching about tolerance, respect and acceptance, but by being tolerant, respectful and accepting; to show leadership not by talking about equality, but by being equal with all of our brothers and sisters, be they Muslim, Hindu, Sikh, Jewish, Catholic or Protestant. We are equal: every faith, every culture, every race.

We have seen the devastation caused by hatred and we must defeat it together, with the virtues of tolerance and acceptance. The Talmud says, "If not now, then when? If not us, then who?" I pray that we will prevail over the perpetrators of this cowardly act of violence, and I pray it will be now.

**Mr Pat Hoy (Chatham-Kent Essex):** I wish to express my heartfelt and sincerest condolences to the families and friends of the victims of this horrific tragedy that took place in the United States. My heart and prayers and the prayers of my family are with the American people in this time of sadness and devastation.

The tragic events of September 11 are an unprecedented act of terrorism that attack the very heart of democracy and all principles that we hold dear. This senseless act was directed against a country which has been a defender of freedom and democracy throughout the world. The valiant rescue efforts and the tremendous resilience of its people characterize the strength of spirit and courage of America. The innocent victims and those who heroically gave their lives while trying to save others will never be forgotten.

I would like to take this opportunity to thank the citizens of Chatham-Kent Essex for their support and their many, many messages of sympathy and solidarity to the United States. Because of our close proximity to the US borders and the many Americans who reside in the riding, for example in Rondeau Park and so many other places elsewhere, Chatham-Kent Essex has developed special bonds and friendships with our American neighbours.

I join with my colleagues in this fight against terrorism and I plead for Ontarians to continue to treat one another, regardless of race, religion, background or ethnic origin, with generosity, compassion, dignity and respect.

**Mrs Margaret Marland (Mississauga South):** In 1940, an 18-year-old young man left Prince Albert, Saskatchewan. He was 23 when he returned to his home and he spent those five years overseas. He was one of the 780,000 Canadians who served in the Second World War. Fortunately, he was not one of the 38,000 who died in that war. That man today is my husband, Kenneth James Marland. I know that his service was for the same reason that everyone has talked about: the necessity of what it is we do from this day forward.

When I visit my father's grave in England, where he is surrounded by hundreds of other military personnel who also died as a result of World War II, I am reminded about the real human sacrifice that war brings.

On the 11th of September, the terrorists perpetrated an act of war against the people of the United States of America. In so doing, they attacked innocent people and killed adults, children and babies, all of whom were not engaged in war. They came from at least 80 different countries. This cannot be allowed to happen ever again, anywhere in the world, because wherever it happens it changes all of our lives forever. The lives of our own three children and seven grandchildren will now be lived differently than before.

The courage and strength of the people in New York, Washington and Pennsylvania has been a demonstration to all of us. We must pray every day for President Bush and those advisers who surround him. Their decisions are the most difficult which have ever been made for the future of our world. May they be blessed with strength, wisdom and courage to make the necessary decisions.

Let us all pray for courage, commitment and peace—a peace that will bind all nations of the world to eliminate terrorism. Our world and way of life cannot be destroyed by a few. May God bless and protect all nations of this world.

1550

**Mr Gerard Kennedy (Parkdale-High Park):** We live in a small world, and we were reminded of that profoundly when evil touched down in New York and other places in the United States. The people of Canada and Ontario have really not even let out their breath since then and I think for some time to come everyone in this House and everyone in this province is going to have a small part of them in the World Trade Center, in those commandeered planes. On behalf of the people of Parkdale-High Park, I want to convey, as others have, the achingly felt condolences to all the victims, to all the potential that was lost, the brunt of which was borne by our American neighbours, quite possibly as a result of some of the taking for granted we have of their leadership position in the world.

But I also want to say that our feelings here have a price. They have a price for us—yes, to be tough on

terrorism, because that is the enemy—but the price is not the price of the roads that we put out today. That's the easy part. The price instead is to understand what we, as part of the leadership of this country, are called upon to provide, and one is to understand this enemy. This enemy is like a virus. It doesn't live in the places that the enemies of the past have lived. Instead, it is cultured in ignorance. It is cultured in a lack of understanding. We in this House, in the days ahead, will have to chart our way in things we haven't done before to try and find ways to offset this.

We have to commit not just our energies but our imaginations. We have to not just respond, as people in my riding did, I think quite magnanimously, to the people of Jami mosque to provide reassurances, but we have to provide to people the honesty to say, "We don't know exactly where this will take us, but our resolve to extirpate terrorism will not have collateral victims"; that we in this House will not be found wanting but maybe will be found hostage to what happened some time ago. To do that would be indeed to lose the challenge that September 11 put before us all.

**Hon Mrs Ecker:** I wish to join with my colleagues in this House to add the voice of my constituents in support of this resolution. With other Ontarians, the people in Pickering, Ajax and Uxbridge attended vigils and religious ceremonies to pray for the victims. They gave blood, they sent donations, they themselves travelled to New York and Washington to help. They've asked me today to extend their condolences to the families of the victims; to extend their support for our good neighbour in the south; to extend their resolve to fight the evil that has caused this tragedy.

Equally important, though, they've asked me to express their commitment to ensure that the anger and the outrage we all feel is directed at the terrorists who caused this, the individuals who killed, and not at those who share the Islamic faith or come from Arabic countries.

On a personal note, while the tragedy of September 11 has moved me deeply, it is not the grief or the horror or those emotions that I will remember about this time. What I will remember is the courage of our firefighters and police who raced towards the flames, not away; the heroism of airplane passengers and crew whose thought at the end was to save others; the generosity of citizens who gave all they had to give to the victims, even knitting booties for the feet of the searcher dogs; the efforts that we all made to reach out to our Muslim neighbours and those from other countries. But most importantly, I will remember about these times. I will remember the freedom and the security that we had to gather in this place and to speak these thoughts freely on behalf of our constituents.

**Mr Monte Kwinter (York Centre):** I rise to support this resolution in condemning those acts of terror perpetrated on September 11 and those responsible for them. I offer condolences on behalf of my constituents in York Centre to the United States of America and those innocent victims who lost their lives or who were injured.

The over 6,000 individuals listed as missing and presumed dead represented 62 countries. This terrorist act was an attack on all peoples who cherish the democratic way of life. It has been said that when thousands of people are killed, it is a statistic. When one person is killed, it is a tragedy. On September 11, over 6,000 tragedies occurred as families lost fathers, mothers, sons, daughters, brothers, sisters, relatives and friends.

One tragedy befell a dear friend of some members of this House. I refer to our friend Hans Gerhardt, who formerly ran the Sutton Place Hotel which is located directly across the street from this legislative precinct. Hans's son, Ralph, 34, who worked in the World Trade Center, is missing and presumed dead.

Our challenge is to ensure that retribution is motivated by justice and not revenge. This means that we must not lash out in anger at those of us citizens who share the same religion as the suspected terrorists. To do so would be to inflict greater damage on our democratic way of life than could ever be hoped for by the terrorist leaders. We must learn from these heinous acts and must act to make sure that we are prepared to minimize the impact of similar acts, should they occur, in Ontario.

My heart goes out to those who perished. May their memory be for a blessing.

**Mr John Hastings (Etobicoke North):** Visit the American consulate on University Avenue and see the broad-based community sentiments of the tolerant citizens of the city of Toronto. Citizens of Etobicoke North are the same way, a constituency that I have had the privilege to represent since 1995 that contains nearly 80 diverse communities. I know that each one of the members of those diverse communities shares with me today the sentiments and outpourings we have seen from so many citizens when you visit the American consulate.

I would like to take a different tack in terms of what lessons we can learn from this horrific experience. In my estimation, one of the fundamental lessons we can learn is to try to prevent, reduce, minimize and eliminate, if possible, the terrible corrosion of discrimination that we see arising in some areas of Ontario and in some other parts of Canada. I think this Legislative Assembly needs to stand and ensure and take every step so that we can reduce that kind of mindset. It is the sort of mindset that tends to associate with the terrorism that we are trying to deal with internationally.

Another lesson that I think we need to take into consideration is that whatever specific actions occur militarily through Canadian troops should be of a limited, targeted nature because we do not need to send our troops into harm's way.

Finally, may I say what I think was voiced most effectively by Martin Luther King, that great human rights advocate. He said, "We'll live together as brothers and sisters or we'll die together as fools." Let's hope it's not the latter part of that statement. Merci.

1600

**M. Jean-Marc Lalonde (Glengarry-Prescott-Russell) :**  
C'est au nom de mes commettants et commettantes de

Glengarry-Prescott-Russell que je viens offrir mes condoléances aux nombreuses familles qui ont perdu un des leurs à la suite des terribles actes de terrorisme, actes de terrorisme contre le World Trade Center, le Pentagone, et en Pennsylvanie le 11 septembre dernier. Tous les Ontariens et Ontariennes, quelle que soit leur race, leur religion ou leur origine ethnique, doivent ensemble faire en sorte que de tels actes de terrorisme ne se produisent plus jamais.

En tant que député à l'Assemblée législative de l'Ontario, j'appuie fortement la résolution présentée devant l'Assemblée législative au nom de la population de l'Ontario. Nous ne devons pas rester à ne rien faire et regarder les autres. Nous devons travailler de concert avec les autres nations pacifiques de ce monde pour faire en sorte que l'Ontario soit en mesure d'aider à traîner devant les tribunaux, devant la justice les responsables de ces actes terroristes.

Since this tragedy, I have been in touch with a local hero from eastern Ontario, Danno, who has been working at the World Trade Center site. He, along with his dog, Ranger, has helped locate several victims of this tragedy. This is only one example of the many Canadians who have demonstrated their strong will and commitment to help.

At this time I encourage all Ontarians to stand together with our American friends and our allies throughout the world to fight terrorism. I encourage Ontarians today to take the time to say hello to someone they have not met before. We can show the world that regardless of race, religion, background or ethnic origin, we in Ontario will work together to bring to justice all those who support terrorism.

God bless America and Canada. Thank you.

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** People in Nepean-Carleton watched the events of September 11 with horror, shock, grief and anger. The tragedy of lives lost, the heroism and courage of those who came to their rescue only, sadly, to join their fate touches us all. Our thoughts and prayers are with them and with their families.

It reminds us of just how fragile our freedom and security are. If we are to continue to enjoy freedom and prosperity, we must all resolve to ensure a firm response. People who commit these heinous acts of war and terrorism must understand that with their actions come consequences. The Canadian way has always been to show leadership when the shared and cherished values of our nation are at risk. We didn't sit on the sidelines through two world wars or in the Persian Gulf war, and I believe we must provide an equally firm and resolute response in the face of the challenge of terrorism. Our freedom is at stake, our economic security is at stake, and that is important.

It's about the freedom of the airline workers who have been laid off and are now unemployed and lack the ability to provide for themselves and their families and

are worried about their future. It's about the freedom of an Arab father in my hometown who is worried every morning about sending his kids off to school and about their safety, and about the attacks that people have made on Muslims and Arabs and others based on their place of birth. It's about our freedom, and fear must not win over freedom.

God bless freedom. God bless America. God bless Canada.

**Mr Dave Levac (Brant):** As we all seek to find the words that are necessary to express ourselves to the world, I want to compliment all the members of this place, because you have sought to comfort everyone; you have sought to do the right thing. This is what we should be doing day in and day out. We are trying to do the best we can for our citizens.

The two words I found are, "We know." We know that we share with the rest of the world the sympathies we must express to the victims of this violence, this unheard-of violence in North America. We know that children lost their lives. We know that moms and dads lost their lives. We know that grandparents, friends, colleagues and fellow workers lost their lives. So we express to you our sympathies. We know that our firefighters, our police officers, our ambulance attendants, our medical and emergency staff have lost their lives, and do that day in and day out. We know. We know that every single person who has spoken today has condemned the violence. We must continue to do so.

We also know that we seek justice, but not vengeance. Justice is right. Vengeance is evil.

As a letter I received from a fellow Ontarian, for example, from the Ahmadiyya Movement in Islam, in the riding of Brant, so properly said:

"Dear Mr Levac

"The local branch of the...Movement in Islam, strongly condemns the barbaric and cowardly act of terrorism on September 11.... We are deeply saddened by the loss of innocent lives. It was a brutal and terrible act against humanity.

"You being our representative in this region in the provincial government, we extend through you to the American government and people our deepest condolences for those who have either lost a family or friend or are hurt physically or emotionally.

"We are offering our sincere prayers for the affected, and may God have mercy on all of us."

God bless us all.

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** I am pleased to join all members of the House today on this day of remembrance and this solemn day when we recognize the horrific deeds of September 11.

I had occasion some months ago, on May 19, to speak at the 27th annual Islamic Society of North America Canadian congress meeting. There were thousands of Muslims in our great city of Toronto for this important conference. I was asked to bring greetings from the province and from Canada to all our guests who had assembled. It was an occasion from which I, as Minister

of Citizenship, was comforted in the knowledge that they were welcomed to a city and a province that was known worldwide for its tolerance, its understanding and its compassion.

There were many Islamic leaders who were quite impressed with how open Ontario was, whether in terms of immigration—we're home to one third of Canada's people, but two thirds of all our nation's immigrants find their way to Ontario or Toronto—or of the rights of people to freedom of speech, to freedom of religion and even more recently their ability to maintain their own schools to educate their children. These were the benchmarks of a tolerant and caring society here in Ontario.

We are here today to hope that the events of September 11 do not change Ontario; otherwise, terrorism will have succeeded. The truth is that Ontarians have had some bad experiences in the last couple of weeks, but we do believe this is a time for all our leaders, all our citizens to come together in that same great spirit of tolerance and understanding which is the hallmark of Ontario. By committing ourselves to that in each of our acts, we will be able to continue as the great province of Ontario.

On behalf of my constituents, on behalf of this House: Shalom, Sarbat da Bhala, Asalam Alaikum, peace be with us. Peace be with all Ontarians, and peace be with our best friends in the United States.

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I am just old enough to remember sitting in a university classroom knowing that American warships were on their way to Cuba and believing there could be a hydrogen bomb dropped before we got home. That was the last immediate personal threat my very fortunate generation had known until September 11.

Until September 11, attacks were something that could happen but didn't, or at least they happened somewhere else. I think that's why the reaction of so many of us to the horror of September 11 was to feel that it was like a bad movie. But it was tragically real, and the reality of horror, anger, fear and mistrust will be with us for a very long time.

There is no justification, no excuse for the attack that deliberately killed thousands of people in a time and place of peace. The atrocity cannot go unanswered, because it cannot for one moment be accepted either as something that has happened or as something that could happen again. It is a time that challenges both the resolve and the wisdom of the leaders of nations.

Winston Churchill observed that the whole history of the world is summed up in the fact that when nations are strong they are not always just, and when they wish to be just they are no longer strong. If that is indeed so, it is time to change the history of the world. We need to call on those who will make decisions that will affect the lives and futures of millions to be both strong and just, and those of us who are making smaller decisions about how we carry out our daily lives in our own communities must also in our own ways be both strong and just in our reaction and in our understanding.

I am deeply disturbed by headlines that tell us that hate crimes have seen a dramatic rise in reaction to the horror of September 11. Surely, scapegoating our fellow citizens as an outlet for our anger and fear is not just, and it must be considered no more acceptable than organized acts of terrorism.

My generation has been truly blessed with peace in our time, at least in our country. We have used the privilege of that peace to build a nation admired the world over for its openness, inclusiveness and equity. Surely in this time of unprecedented challenge we can find a way to protect not only our physical security but our deeply rooted values.

Today I join with all the members of the Legislature in expressing my profound sympathy to those who have lost loved ones, and my deepest respect for those who have sought to protect the victims, to help the victims.

1610

**Mr Doug Galt (Northumberland):** September 11 will be remembered as a day of horror. In my riding, the destruction of people, of aircraft, of the Pentagon, of the World Trade Center, has hit very close to home.

Selena Forsyth of Port Hope hasn't heard from her son, Arron Dack, for almost two weeks. He was employed at the World Trade Center. Last Thursday evening, the community of Port Hope came together to assist her in her attempt to find her missing son. I was there and felt the outpouring of sympathy for one mother who probably has lost a son.

Stories such as this have been, and may be, repeated thousands of times because of this act of evil. Our deepest sympathy and prayers go out to her and to all those who may have lost loved ones.

While it's clear we're doing our part here in Ontario, I believe that more could be done at the federal level. I believe they should take a page from President Bush's speech last Thursday. He announced the creation of a new Office of Homeland Security; we could do the same. The new office will coordinate a strategy to thwart terrorist threats and oversee plans for our defence against similar attacks. The office would work with all emergency organizations, including police, fire and emergency preparedness officials. Nowhere would this be more important than in the development of national standards for fire response. Right now, unlike our police services, there is no such standard for fire departments.

We have also no standard to deal with germ warfare. The ease with which anthrax could be spread makes this indeed a serious threat.

Of all the tasks of government, the most basic is to protect its citizens against violence. This is not just a US fight; this is a fight against those who would destroy our institutions, our freedoms and our democratic way of life.

I call for the establishment of an office of homeland security, and work with the United States office to keep the citizens of North America safe from harm.

God bless Canada. God bless America.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** Ernest Hemingway in his Farewell to Arms

writes that the world breaks all of us and then some of us become stronger in the places that are broken.

Make no mistake: for many, far too many, September 11 was a day of broken dreams, broken hearts and broken lives. It is my hope and prayer, indeed the hope and prayer of all my Ancaster-Dundas-Flamborough-Aldershot constituents, that we find the wisdom and courage to learn from and respond to this tragedy.

During the darkest of our days, people often ask the seemingly imponderable question: Where was God? How could a loving God allow something like this to happen?

I believe that on September 11, God was the very first on the scene when the blessed firefighters and rescue workers put themselves in harm's way. Indeed, one only needs to look deep into the eyes of any local firefighter to realize that God's heart was the first heart broken.

Recently, it was said by someone far wiser than I that in our darkest of times our very best response is to commit to doing something wonderful and doing it well. In the days ahead, let us remind our sons and daughters, our children and grandchildren, indeed ourselves, that we will all know deeper darkness in a night already devoid of stars. Let us continue to teach and proclaim that we do not believe there is anything holy or godly in mindless acts of terrorism nor anything just in indiscriminate acts of vengeance.

Today I offer this simple prayer: Gracious God, help us to love one another. Help us never to take for granted those we love, failing to remember that you have only loaned them to us for a short time. Let us never be blind to the marvel of their presence, to the joy of their voices, the warmth of their companionship or the beauty of their lives. When we arise in the morning, let us give thanks for life and for the strength to pledge anew that we shall together become wiser and stronger and more committed to healing the broken places in our lives and the lives of those we love.

So help us God.

**Hon Dan Newman (Minister of Northern Development and Mines):** We have all been deeply affected by the events in the United States of America. It is clear that families in Ontario were also directly impacted by the loss of life in this horrific event. It is far from easy to make sense of things during these times of terrible loss and sorrow. It can also be hard to get one's bearings in a world where things will never quite be the same.

Even during this period of remembrance, however, there are some values that will always remain constant. Qualities of caring and compassion will never fade. These qualities have been strongly displayed in northern Ontario since the recent terrorist attacks on the United States. Throughout the region, northerners have been pulling together to provide and to offer their support to help our American neighbours in any way they can.

This compassion was evident in blood clinics across northern Ontario. In Timmins, in Sudbury, in Thunder Bay and in Sturgeon Falls, people lined up to donate blood. In North Bay, the city was prepared to offer shelter for up to 9,000 people as it prepared for an influx of diverted planes. In Field, a small community north of

Sturgeon Falls, students demonstrated acts of kindness toward each other in memory of those lost. In Parry Sound, staff and students at Parry Sound High School erected a memorial to the victims of the attack. Police officers in the Soo rushed to offer aid, only to be turned away, as New York had simply received too many volunteers.

Similar stories are being repeated throughout the province. I know that Ontarians possess an ingrained sense of community and an inherent belief in helping each other out during times of need.

As the MPP for Scarborough Southwest, I am proud knowing the people I represent have given blood, made donations, and contributed positively. My constituents have offered their thoughts and prayers and their support for the victims and their families, as evident in the pages of the signing book at my constituency office.

I'm also proud of our province's great, long history of tolerance and diversity. Along with our Premier, I strongly condemn any thoughts and acts contrary to our tradition of tolerance. These acts of intolerance and hatred toward Muslims and members of other minority groups are quite simply appalling. Ours is a land rich in cultural, linguistic, religious and ethnic diversity, an attribute that we must celebrate. I commend those who have made contributions in action and in prayer. Let us reflect and encourage each other in the days and weeks ahead.

**Mr Ernie Parsons (Prince Edward-Hastings):** Rich as our language is, it is inadequate to describe the events of September 11. For the people of Prince Edward-Hastings, as for all of Ontario, we have had a range of emotions that are difficult to express—certainly anger at the cowardly act that took place; compassion for the victims and the families and indeed all of our civilization that was affected by that; and fear, for us personally, for our children, for our country and for our world at this act.

I have seen in the past on television people fleeing their houses as a result of terrorist attack. We've had people without houses; this time we have houses without people—extremely disturbing. I think we need to learn from history and we need to learn from the adversity that has been met by others in the past.

Martin Luther King Jr lived a life of adversity. I would like to read to this House some of his advice to us.

"Injustice anywhere is a threat to justice everywhere." What better reason for us to be involved than that expression?

"Our scientific power has outrun our spiritual power. We have guided missiles and misguided men."

Martin Luther King said, "I think the first reason that we should love our enemies, and I think this is at the very center of Jesus' thinking, is this: that hate for hate only intensifies the existence of hate and evil in the universe. If I hit you and you hit me and I hit you back and you hit me back and so on, you see, that goes on ad infinitum. It just never ends. Somewhere somebody must have a little sense, and that's the strong person. The strong person is the person who can cut off the chain of hate, the chain of evil. And that is the tragedy of hate, that it doesn't cut it off. It only intensifies the existence of hate and evil in the

universe. Somebody must have religion enough and morality enough to cut it off, and inject within the very structure of the universe that strong and powerful element of love."

"The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands in times of challenge and controversy."

The United States and Canada are strong people. We will overcome this evil act.

1620

**Ms Marilyn Mushinski (Scarborough Centre):** I join all of my colleagues in this House today in expressing my deepest condolences on behalf of my constituents of Scarborough Centre to all of the victims and their families of the dreadful tragedy in the United States of America.

I would like to share with you a poem that was e-mailed to me on the morning of September 12. It was a poem that was written by my sister, and I believe it expresses much of what we all feel in this House today. It's entitled Tears:

There was no time to say goodbye,  
why God? I asked, as I wiped my eye.  
This evil seed, which grew and grew,  
was something I never really knew.

The clouds of dust are all around,  
dead bodies laying on the ground.  
Someone's mother, daughter, son,  
father, brother or just someone.

Promise God, you will be there,  
to love and keep them in your care.  
For today the stars have lost their light,  
they cannot bear to see this sight.

The tears are running down my face,  
I pray we may all be given grace.  
Give us the courage to face each day,  
that this evil will pass away.

Give us tears that we may grieve  
for the loved ones who have had to leave,  
We know they couldn't say goodbye,  
but why God, did they have to die?

One day we hope to understand,  
why evil visited our cherished land.  
Now the tears are pouring fast,  
not just for the future but for the past.

For the moment, we wipe our eyes,  
As our nation weeps; weeps and cries.  
For us who are left behind to mourn,  
tomorrow will bring forth a new dawn.

As we feel the aching pain,  
your deaths will not have been in vain.  
We will build a cross of wood and tears,  
to bring a world peace, for future years.

God bless America.

**Mr Richard Patten (Ottawa Centre):** I join the members of the Legislature, of course, in supporting the resolution and the province of Ontario's efforts to assist in any way we can our brothers and sisters south of the border as they try and deal with this horrific experience.

The people of Ottawa Centre share with all Ontarians and Canadians a profound sense of shock, numbness, grief and collective horror at the events that happened on September 11. Such was the scale of the terror that at its height on that fateful day, thousands of people in my riding were sent home that morning. The federal government was forced to evacuate its buildings as many offices adjacent to the American embassy in downtown Ottawa were quickly evacuated as a precautionary manoeuvre. For all of us, terror became very close to home.

Ottawans demonstrated their grief when 100,000 of them attended the single largest memorial service held in the country, in my riding on Parliament Hill. The American embassy on Sussex Drive in Ottawa has become much like the consulate here on University Avenue: a virtual shrine to which many Canadians have come to express their feelings in a very moving way.

The tragedy, though, has a unifying power. We see people of every background, creed and ethnicity united in their disdain and their contempt for this vicious act of terrorism.

As most of us know, Canadians who practise the Islamic faith make up a key part of our multicultural fabric. Most of us, myself included, have many Muslim friends and colleagues, and they have created a great deal and made a great contribution to our community. As one who knows this community well, both here in Canada and around the world in the Middle East and in Africa, where I've worked, I am dismayed that some Canadians have chosen to attack Muslim Canadians in their place of worship. The Islam that I know is a faith based on peace not just to humankind, but to all living things.

Let us at this time honour the dead and their families and friends by calling forth the highest possible principles and compassion for all the various and diverse peace-loving peoples here at home and around the world.

**Hon Brenda Elliott (Minister of Intergovernmental Affairs):** Over the last 13 days, we've heard a number of words used to describe the events of September 11, words like "horrifying," "tragic" and "terrible." But there are no words that seem to adequately express the feelings of Ontarians who cope in the wake of these terrorist attacks.

The events of September 11 shocked and saddened us. They were events none of us will forget and they were events that have changed the way we perceive the world around us.

In Guelph-Wellington, citizens began calling my constituency office within minutes of the attack. They didn't know how they might be of assistance, but what mattered to them was that they wanted to help.

In my riding, simple acts of kindness and sympathy have come from people like Jackie Green, who decided

to donate all the profits from her embroidery business, Green Bee Designs, to the Red Cross for the next four weeks. The local firemen stand outside our grocery stores and collect money to fill their big firefighter boots from all of us who want to help the victims and their families. The Marzo Glove Co, a Rockwood glove manufacturer has sent 300 pairs of horsehide work gloves to protect the rescue workers' hands. These are just a few acts of simple kindness and goodwill that have occurred in my riding, and similar stories can be told all across Ontario and the continent.

The people of Ontario and Canada stepped forward and, together with our friends in the United States, sent those contemplating further attacks a resounding message. The ultimate goal of terrorism is to break the spirit of those who are being attacked. Terrorists are now learning that their vile acts have strengthened, not weakened, the spirit and resolve of Ontarians, Canadians and citizens of the world, who all support and treasure security, respect, tolerance and freedom.

**Mr Steve Peters (Elgin-Middlesex-London):** Nine-one-one, that universal cry for help; 9-11, that day that will always be etched in our memory. Not since the American civil war have so many people died on American soil. But I think what's so tragic about this is that it wasn't just American lives that were lost, but the lives of representatives and people from over 80 countries that were lost.

On behalf of the residents of Elgin-Middlesex-London, I too want to express our most sincere condolences to all those who have been affected by this tragedy. To the police, the fire, the ambulance workers, the emergency personnel and to the pathologists and funeral directors who have all conveyed and moved to New York to help those families, we say thank you.

As a regular visitor to New York City, I can tell you what it's like when you're driving in from New Jersey and you would see that first sight of New York City, the World Trade Center. We're not going to see that anymore, but that memory is always going to be etched in your mind of those buildings and that tragedy that took place there.

What we've seen is the country come together. We've seen us come together in unanimity like we've never seen before, and it's a real pleasure to see. We've talked about many things, many new initiatives that we need to take as a country to make sure that we keep our country safe. But one thing that I think we need to look at, both provincially and federally, as we deal with this tragedy and look at the potential for other tragedies is a national food policy. This food policy must be part of our national security plan. We possess a tremendous resource in this country with the food that we produce. Our supply is abundant and diversified. Now, though, we must work to ensure that we can protect, support and strengthen our domestic food supply.

Nine-one-one is that cry for help, but 9-11 is that call for all of us to pull together as a country.

1630

**Mr Frank Klees (Oak Ridges):** I stand on behalf of my constituents in the riding of Oak Ridges in full support of the resolution before us today and to express our heartfelt condolences to the families and friends of those who lost their lives in the tragic events of September 11.

I also want to express our admiration, our respect and gratitude to those who so willingly took on the challenge of search and rescue and the many related tasks in the aftermath of the terrorist attacks, and in particular the many Ontarians and Canadians who came to the aid of New York in those days and continue to toil there today.

As I listen to the debate today, I'm reminded of what to me were probably the most moving and most memorable words that were reported throughout the entire event over the last few days. They came not from the President of the United States, and they came not from leaders around the world who expressed their condemnation of the event or their support in the declared war on terrorists. They came from one of the passengers on flight 93, just before it ended in that field in Somerset, Pennsylvania. The words were, "We're going to try to do something." These were the final words of an individual who was in unbelievable circumstances, but they were his final words. He and his fellow passengers did what they could, and within their impossible circumstances they acted boldly and saved probably thousands of lives.

We, through this resolution today, are saying to the citizens of Ontario and to the citizens of the world, "We're going to try to do something." May we have the resolve and may we be deliberately wise and may we be willing also to act boldly. May we seize the opportunity to teach our children and to remind our nation that we cannot take for granted the democratic freedom that we enjoy in this province and this country.

To this end, I urge the Premier, I urge the Minister of Education and the Minister of Citizenship to develop and implement a province-wide initiative to be delivered through our schools and made available to our community service agencies and to our places of worship in this province, a program that will help our children and the broader community understand the events and to put into context the events of the last few days, and to help them understand how we can turn this tragedy into a positive event in our lives, so that we know what to do with these feelings, so that the children in our communities know what to do with these feelings of fear and trepidation. Because I believe that our community is looking to us to provide leadership, to show how Ontarians, through this, can continue to have a positive attitude and hope and optimism for the future.

It is one thing to look beyond our borders or to the borders. Let us not forget the citizens who elected us and the help they need over the next number of weeks and months as we deal with this tragedy.

**Mr Gerry Phillips (Scarborough-Agincourt):** September 11 will probably be the most significant global event that any of us has experienced. It was a

tragic event that profoundly changed our lives. Our thoughts today are with the thousands of innocent victims who died, and our thoughts are also with those heroes who tried to rescue them.

My thoughts are also, what can we do? The first thing is that the message must go clearly out to the United States that we're with them. We have a very unique relationship with the United States. We're the best of friends, we have a tied economy, and that message must be completely clear to them, that we're with them. We cannot allow the US to face this issue alone. I think we can also play a role in bringing the world community together to fight terrorism. The first thing, as I said, is to make certain the US clearly knows that we're onside and we're with them.

The second thing is we must all dedicate ourselves to fighting this war on terrorism. This is going to be an enormously difficult war that will require skill and patience. We saw in the last few days how clever the terrorists are. Here in Ontario, they provoked acts against our Muslim community that were totally unacceptable: attacks against mosques, attacks against individual Muslims. That was what the terrorists attempted to provoke. So the second thing is, as I said, all of us must dedicate ourselves to fighting this war on terrorism. It will not be easy. It will require skill, patience and, I think, the world community to unite to fight it.

Finally, I would say that out of this tragedy surely a better world can emerge. But it will require all of us to work to make certain that that happens. As Mayor Giuliani said, "Out of the tragedy of the World Trade Center a better New York will emerge." Out of this tragedy a better world can emerge with all of our efforts.

**Mr Steve Gilchrist (Scarborough East):** I'm honoured to join with my colleagues from all parties to support this resolution and to decry in the strongest possible terms the heinous crimes which were perpetrated on September 11.

Sixteen years ago, people in this country and around the world were devastated by what was, at the time, the worst case of mass murder by terrorists, namely the downing of Air India flight 182. It certainly seems incredible that the 329 lives lost in that tragedy now pale in comparison with the mass murder we saw in the United States two weeks ago.

The assault on the US, in the strictest sense, was against buildings that typified the US economy and its military, but symbolically it was an assault on the fibre of our democratic system. It was an attempt to instill, through cowardice and intimidation, beliefs and attitudes that would never triumph in the voting station. It was an attempt to undermine our belief in the safety of our communities, in the sanctity of our respect for the open celebration of all faiths and the confidence with which we have always faced the future. The terrorists may have succeeded at that superficial level in damaging buildings and ending the lives of over 6,000 innocent men, women and children, but in the more significant event to under-

mine our social values, we have within our power—all of us—to ensure that their failure is absolute.

As lawmakers and stewards in this blessed province, we and 11 million other Ontarians have much to be thankful for. The tragedy in New York reminds us of how fragile life can be and how important it is to work every single day to protect the hard-won democratic principles that are the legacy handed down to us by generations of brave and selfless Canadians. We cannot shirk in our obligation to keep the flame of freedom burning brightly, nor deny our children the prosperous and progressive future that should be theirs.

We must demand justice for the victims, especially the Canadian and particularly Ontario victims. We must not change our way of life, we must not adopt an attitude of despair and we must never forget that the senseless death of these thousands of innocent people must steal our resolve to protect our democratic and peaceful ideals.

**Mrs Sandra Papatello (Windsor West):** I rise today to express sympathy from all of us in Windsor West to all those families affected by the disasters that hit New York, Washington and Pennsylvania.

As a Windsorite, a mile-wide river is all that separates us from our Detroit friends, and Windsorites ran with Detroiters down Woodward Avenue, up Jefferson Avenue, when they cleared the Renaissance Center because they feared it might also be attacked. We are the same family. I'm proud to stand as a Canadian with our American family, with the unprecedented alliance around the globe that's now forming to fight with all the might required to eliminate terrorism in our midst.

I'm also pleased to report a very successful meeting on Saturday afternoon at a mosque in south Windsor where we sat together to discuss how to use this as some opportunity to teach and make all of us aware in the Windsor community, and to better understand the Muslim religion and the Middle Eastern culture—a large and proud part of the Windsor community for many years. We need to now take advantage of this as an educational opportunity. For those in our midst who are misplacing their anger and perhaps taking it out on that community, we need to work together to learn who they are.

I'd like to end with a quote from Martin Luther King. He said bravely, "When the evil plot, the good must plan. When the evil bomb and burn, the good must build and bind. When they speak the language of hatred, the good must remember the power of love."

**Hon R. Gary Stewart (Minister without Portfolio):** Today, like all members of the House, I would like to offer condolences and sympathy on behalf of my constituents in the riding of Peterborough to the people who tragically lost family, friends and business associates in the horrific events of September 11, in Washington, New York and Pennsylvania.

September 11 will go down in history as the day the world changed. No longer will we enjoy some of the freedoms that we have known for generations. No longer is our future and its direction guaranteed. Yes, the world

will change, our day-to-day lives will change, our obligations, our responsibilities will change, but our appreciation for family, community, democracy and spirituality will not.

Unfortunately, we all must take some responsibility for the events of September 11. In a way, we have allowed these types of events to happen. We have, over the last few years, fallen into a mode that condones violence, disobedience, hatred, riots, demonstration and racism, and we have justified it under the disguise of democracy. We have allowed our way of life to change. Our morals and ethics and beliefs have been slowly deteriorating. We have allowed spirituality to be taken out of the schools, to be replaced by police. We've had to create codes of conduct, victims-of-crime legislation, and we seem to support a watered-down court decision process. It's time to return to our principles and fundamentals, such as respect for all human beings. We must change back to what our creator started in the first place: a world of compassion, of love, tolerance, family values and the belief that mankind is worth saving.

Let me finally say a thank you to all of the firefighters, police and emergency workers for their dedication to their jobs and to the rescue effort. God bless all people around the world who do not tolerate terrorism. Working together, hand in hand together, we will overcome what those few extremists have tried to destroy.

1640

**Mr David Ramsay (Timiskaming-Cochrane):** I stand to support this all-party resolution today and I stand to express the condolences of all the people I represent in the riding of Timiskaming-Cochrane. I know the calls have come into my office asking how they can help and express their condolences. In that regard, we've tried to get the government's book of remembrance not only to my offices but to town halls throughout the riding so that everybody has an opportunity to express their grief.

With such horrible evil that was unleashed on the world on September 11, hundreds and hundreds of thoughts run through our minds, from the grief of all of this to the shock of the extent of the evil. As you place yourself in the everyday life of people arriving at an office the first thing in the morning and congregating around the coffee machine and pouring coffee and sharing what people did the night before, going to a movie or some TV show that people had seen or what happened in their family, all of a sudden those lives, over 6,000 of them, were snuffed out. It was a horrific, horrific event. The grief is going to take a long time to clear, as the dust that was evoked by this is going to take to clear also.

What saddens me is how it has clouded people's lives looking to the future. Many people I've spoken to who have plans for travel, whether visiting family or a holiday in the immediate future, are thinking about those things again. It saddens me to see people rethinking those things, because life needs to go on. We have to get back to work, as we have now in this place. We need to get back to our everyday lives, to be with family, to enjoy

those times with family and carry on, because the goal of terrorism is to terrorize the free society we have. We must fight that.

The other lesson I think we've learned from this is that we must watch out for ourselves much more closely now and watch out for each other more closely.

**Mr Bart Maves (Niagara Falls):** Let me start off by congratulating our Premier. Over the past few weeks I think he has stood very tall among leaders in Canada as someone who has shown great leadership on this terrible tragedy. I think with this resolution today he has done so again. I could also congratulate Mr Hampton and Mr McGuinty for agreeing to this resolution debate today.

As a member from the border community of Niagara Falls—I was born and raised on the border—I've had a unique relationship with Americans all my life. Many of my family members live there. I've played baseball and basketball against Americans. I've eaten in their restaurants and they've come to ours. They're very much my American cousins.

Over the past four years I've co-chaired a committee with Assemblyman Robin Schimminger from New York state, along with other Senators, such as Senator Maziarz, Senator Volker, Assemblyman Tokasz, Senator Mary Lou Rath and many others. We meet quarterly to discuss cross-border issues. I called them today to find out how they were doing a few weeks after this tragedy. They're at ground zero today, those men and women in New York state who have the same jobs we have. It kind of brought back to me what they're going through there. They're visiting there. They've had a couple of legislative sessions for budgetary items. They've brought in some anti-terrorism legislation quickly. I want to let them know what we are doing in here today and that our hearts and prayers have gone out to them and continue to do so.

They're also very cognizant and appreciative of what our province and what the people of Canada, especially Ontario, have done over the past few weeks, and they've thanked us for it: our firefighters, our paramedics, our air ambulance, our health care providers and many others, the offers of assistance, the money, the donations of blood. They're very appreciative of the outpouring of support that Ontarians have had. I'd just like to finish by letting them that our hearts and prayers are still with them know and that we look forward to helping them in any way we can in the future.

**Mr Tony Ruprecht (Davenport):** On September 11 our hearts went out to our American friends. We too share in the mourning for the great loss of life. We share this continent, and an attack on our friends is as well an attack on us.

But this onslaught was relatively low-tech. The feverish brains attacked only what they perceived to be the symbols of American might and the empire—the financial resources, the military and the government. But they could have attacked our many undefended nuclear reactors. That of course would have been a nightmare of unimaginable suffering. Millions could have died. In comparison, the catastrophe in Chernobyl could be

considered a walk in the park. For whatever reason, the terrorists chose not to do it. This calls, of course, for more vigilance in the future.

But for now, how do we respond to the present catastrophe? We have a choice. Do we follow the directive, "An eye for an eye, a tooth for a tooth"? We know that response will only get us on the treadmill of more violence and pain. It leads directly to an attack on our values and an attack on our minorities, whether they be cultural or others. Unfortunately, today it's the Muslims. Tomorrow it may be the Jews, the Hindus, the Sikhs or even the Christians. All our religions have a deep conviction to another response to the September 11 crisis: "Turn your swords into plowshares." Can governments be expected to dismantle their bombs? Unlikely. But as Canadians, as Nobel laureates, we have an opportunity to encourage our ally, to counsel restraint. Because America, in spite of the terrorism, has an enormous responsibility. It carries a great responsibility, and that is to ensure that the light of life, liberty and the pursuit of happiness not only shines in America but also shines all over the world. And America of course can shine that light on other nations, including those that do not yet believe in democracy.

Therefore we can say, especially on this side, God bless the American people in that enterprise, and God bless Canada as a partner, helping where we can to fight terrorism in all its forms.

**Hon Norman W. Sterling (Minister of Consumer and Business Services):** May I at the outset express the condolences, the prayers, of the people of Lanark-Carleton for all those families who suffered as a result of this unmitigated, disastrous attack on the people of the United States.

A lot of our attention these past weeks has been rightly focused on the attacks on New York. That city was devastated, and many thousands perished there. I want to speak for a moment with the memory of the victims in Washington in mind.

Like that city, I represent the capital of Canada as part of my constituency. These people in Washington were at work as public servants in Ottawa are at work every day. Most of them I'm sure do not think they are working in an unsafe workplace, and they shouldn't. The public servants who were at the Pentagon were not risking their lives. Most of them had never done a thing to alter the lives of others. And yet, because they worked in a government building, somehow they became a symbol worth striking in the minds of the attackers.

There is a great debate underway in this country today about what support Canadians should offer to help prevent further attacks. I imagine everyone involved has the best of intentions, yet some say sympathy is enough. Many instinctively call for negotiations with someone, perhaps forgetting that the slaughter was hatched without any stated cause, demand or purpose. Finally, others have even argued the policies of the US abroad contributed to the attackers' rage and should be reviewed.

1650

The decision about what kind of support we offer is a difficult one. There are limits to what we can reasonably do, but we should strive to reach that limit, if we can, and not just because the Americans deserve our support, which they do, and not just because the Americans are our allies, which they are, but more so because of the nature of the targets and the people who work there.

We keep talking about Canadian deaths and American deaths. We talk about American reaction and Canadian support and whether or not our country got mentioned in a speech by the President. To phrase things this way—this is the larger point—this is not a contest for national profile or for American friendship. It is much simpler than that. Our minds, corrupted by history, have tried to make it more complicated, but it isn't. It's a criminal investigation against a criminal organization turned into something that's called a war only by the scale and the scope of the effort.

In my mind, the attacks on September 11 were little different from an attack on many of the workers who live in my constituency and commute into Ottawa every morning. With this kind of attack, there are two kinds of people: victims and perpetrators. We should do everything we can to help the Americans find and bring to justice those perpetrators.

**Mr Mario Sergio (York West):** I rise today and join members of the House in paying tribute to the people who have lost their lives in the States, to their families and to the other countries as well which had people working in the States and lost members of their families.

This abominable act was conceived by people and carried out by people who have no value and no respect for human life.

Who were the people who died? They were not soldiers. They were not carrying arms. They were not carrying bombs. They were regular citizens like ourselves, carrying on with their daily jobs, going to work. That was their sin—innocent people.

Will we now see things differently? Will we now do things differently? Perhaps. But our resolve, I'm sure, for a better, safer world will never change. So much hate. So are the actions of hatred.

As we join our American friends at this very difficult time, as we see a nation coming together as never before, we hope that from the rubble and the ashes we can see a renewed spirit, a look ahead for a world full of peace and full of hope.

To all of us, all of our people, I say bless all of you, bless the people of the world and bless America.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** On behalf of my riding of Barrie-Simcoe-Bradford, we wish to offer our condolences and prayers for all those who died or were injured, the families, the friends of that tragic happening on September 11 in New York City, in Washington and outside of Pittsburgh.

Six days after that event, I was holding my annual blood donor clinic at Highway Pentecostal Church with the Canadian Blood Services, with great support from the

community, the Barrie Police Association and the Barrie firefighters. One common theme throughout of the people coming in, the common question was: was the blood going to the United States? I checked that out with the Canadian Blood Services and the people that were helping me put on the blood donor clinic, and the sorry answer to that was that it was not needed because there were not enough survivors out of that tragic event. But we did have some success in the blood donor clinic in that, for the first time, the Canadian Blood Services were able to satisfy hospital requests at 100%.

But that tragic event has to be looked at in a total perspective. We have to look at how that will make our community stronger, how we can build tolerance through that. There have been some situations throughout the United States and Canada with respect to tolerance not being shown, and that's something that we have to push forward. I know President Bush and I know our Prime Minister have come forward in saying we have to show tolerance for those of all faiths.

So on behalf of my constituents, we offer our prayers, and I know that we'll be a better community from this.

**Mr George Smitherman (Toronto Centre-Rosedale):** I am a very proud Canadian and I love the United States of America. Like so many people, I have been affected by this in a personal way. I remember as I watched these events unfolding on television, my first concern was for a very good friend of mine who lives in northern Virginia. His name is Tim Sneed. We spent many times across the way from the Pentagon at the Pentagon Mall. I wasn't concerned for him in a physical way; I was concerned about the effect on him emotionally. We haven't spoken enough about that, but so many people have been so harmed, so damaged by this. We must offer our thoughts to them as well.

In my own riding, I have a very significant Muslim community. Two weekends ago, I had a barbeque where I met a 12-year-old kid named Nurul. He's from Bangladesh and he's Muslim. He'd been affected by these events in the same traumatic way that all of us had—by seeing them on television. But he'd experienced another kind of effect, and that is one that we all speak out against. That is, as a Muslim, he had been discriminated against in response to these events. I have reached out to my Muslim community, as I know many other members have, and I'm very proud of the way that they have stood in the face of this kind of discrimination and kept their composure.

I think that word "composure" is one that we all need to be drawn to. There will be much talk about the way that we strike out against those that have done evil, but I think at this time that it's also incumbent upon us to make a commitment to build up things that are good, because it is those public institutions that people will look to, in my view, in this time of insecurity: our system of public health care that we're so proud of as a core value of this country, and in particular something that has played such an important role in healing in the days since that in my riding, and that is our system of public

education, where diverse people from all over the world come together.

So on behalf of the citizens of Toronto Centre-Rosedale, I join with pride with all members of this House in support of this resolution and in offering our very best wishes to all those, and especially Americans, who have been harmed by this act.

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** It is with honour that I speak today, along with my colleagues in the Legislative Assembly here in Ontario, to respond to the events on September 11, 2001, in which thousands of innocent men and women—including Canadian citizens—were attacked and murdered by terrorists; as we acknowledge that these acts were evil, immoral, and an affront to humanity, to respond as well to the recent and unfortunate incidents in Ontario and elsewhere of intolerance directed to Muslims and members of other visible minority communities; and to join with all peaceful, law-abiding people who want compassion to be shown to the victims and justice to be served.

1700

I thought I would use just a minute to speak on behalf of the constituents of my riding of London North Centre and to talk about how people have responded in whatever humble way they can as they want to respond during this time of absolute despair and total fear, and how does one move on with their life. I am so impressed with the enthusiasm and the speed with which Londoners came together to contribute their support and solidarity to our friends and neighbours in New York, Washington and Pennsylvania. The Association of London Muslims has launched a fundraising drive in cooperation with the Canadian Red Cross Society. All the staff at the London Health Sciences Centre was on call immediately following the attacks. Firefighters in London are raising money. The Fallen Heroes Fund is a joint effort by four radio stations. More than \$250,000 should be raised by tomorrow. Canadian and American flags are on people's homes. They were published in the London Free Press and cut out by ordinary, everyday Londoners. Mike Smith, an entrepreneur, has committed to raising \$100,000.

The list goes on. My sincere hope today is that, along with the people of London, the boys and girls who are raising money through selling lemonade to send to the victims and their families of this great tragedy, we all honour those who have given their lives; lest we forget, we remember them forever; that we learn from this terrible disaster. I just hope that we, as the world, will contribute whatever we have to the ongoing support of democracy. All of us here in this Legislative Assembly have worked together today, and we always will, for democracy.

**Mr Gregory S. Sorbara (Vaughan-King-Aurora):** In the wake of the by-election in Vaughan-King-Aurora, I couldn't have imagined in my wildest predictions that, on my first day in this Legislature, I would be asked to

speak on a resolution so grave concerning a tragedy so serious. But under the circumstances, I am honoured that my first words in this Parliament are that the people of Vaughan-King-Aurora join with fellow Ontarians, join with their fellow citizens in Canada, and indeed join with people across North America and the world to express their grave sorrow in the loss that has befallen the world as a result of the events on September 11. They weep and they mourn. They join in condemning these acts, these acts of unprecedented evil. They join in celebrating the thousands of acts of heroism and the thousands of heroes that have come to help in a most serious time of need.

Speaking of heroes, I want to say my particular admiration for the way in which Mayor Rudolph Giuliani has responded to this tragedy.

But as we prepare to respond to the tragedy, I think we need to remember a few very important principles, and they are, firstly, that this tragedy has nothing to do with religion, that it has nothing to do with Islam, that it has nothing to do with the clash of cultures. It has everything to do with the deadly poison of terrorism that has been the undisputed venom of choice of zealots around the world for many decades. As we begin to fight this battle, we need to remember that our enemy is not a nation; it is not a people; it is not a culture. Our enemy is hatred, whether it be practised in our province, in our country, in our continent, or wherever in the world. We dedicate ourselves here today to eradicate hatred around the world.

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):**

The tragedy of September 11 underscored for me how intertwined our lives are with our neighbours to the south. There are few among us who did not have a terrible moment of wondering where friends, family members or work acquaintances were as we heard the devastating news that came out of New York and Washington. Words cannot express my sympathy for those who are still searching for relatives and friends. My prayers are with you and your loved ones.

Historians tell us that tragedy brings out the best and the worst in people. We have heard through the media some of the stories of backlash that innocent Muslims and other visible minorities have been dealing with over the last few weeks. I have certainly seen the other side, individuals in my riding who want to do all they can to assist neighbours. People want to help in any way they can.

On the day of the tragedy I received many calls in my community office from people in my riding of Dufferin-Peel-Wellington-Grey who offered to open their businesses and homes to travellers stranded at Pearson international airport. Many have called or asked how they can reach the Canadian Red Cross and donate money toward relief efforts.

Since September 11 my riding has played host to very successful blood donor clinics in which many patient and generous people took time from their busy lives to give the gift of life by giving blood. I have also directed to Emergency Measures Ontario a number of individuals

who have called asking how they can personally assist with recovery efforts. The offers of assistance have been coming in from firefighters, police officers, funeral directors and medical personnel. I'm amazed at the lengths to which people are willing to go to help out.

On a more personal level, the book of remembrance I distributed to many municipal offices throughout the riding was signed by hundreds of people who simply wished to let our American friends know they were thinking of them.

In closing, I don't believe the depth of this tragedy has yet registered with us. It will take many years to heal the wounds this senseless act has caused, and I only hope that together it will make us a stronger, more caring society.

**Mr Hampton:** My colleagues have asked me to summarize collectively for them what many of them are feeling. Members of this Legislature have spoken eloquently and passionately today. They have given voice to the thoughts and prayers of our constituents about this horrible act. We join together today and collectively express our determination to triumph over terrorism. We choose tolerance and humanity over hatred and revenge.

We offer our help to our American neighbours in the name of friendship and solidarity. But we must be sure that the very principles we cherish are not violated in their defence. If we trample on civil rights at home while fighting terrorism abroad, what have we gained? If we were to brutalize innocent people abroad to stamp out terrorism there, what have we become? A campaign against terrorism will be a challenging test for our values and our principles, if we meet the test, if our own democratic institutions and civil rights emerge stronger, not weaker.

Our tolerance is essential in the wake of this American tragedy. Just to give some examples of the breakdown of tolerance in our province brings shame to our name. In Ontario, police are reporting a surge of hate crimes since September 11: a racially motivated beating in Ottawa has left a 15-year-old Muslim boy badly injured, an arson attack against Hamilton Hindu temples is believed to be a reprisal for the terrorist attacks on the United States, mosques have been attacked in St Catharines and Oshawa.

Security has been stepped up at mosques all over the province. Countless Muslims, Arab-Canadians and South-Asian Canadians have been victims of threats, harassment and racial slurs on the street, in schools and in workplaces. Women and children in particular have been targeted. Individual mosques have received countless threatening messages. The Islamic Council of Canada and the Canadian Arab Federation have been victims of hate messages and even death threats. The Sikh community—one would ask, "What does the Sikh community have to do with the events that happened in New York or Washington?"—has also been targeted. In South Asian neighbourhoods in the greater Toronto area incidents have been reported to police, including a

beating attack on an elderly man. There are also reports of children being beaten and men and women being insulted and harassed on the street.

1710

I applaud this Legislature and reapplaud this Legislature for taking a strong stand against this kind of intolerance and pledging action on hate crimes.

I would go further to say that the advice we give, not just in our own province, but the advice that we give to our neighbours in the United States must be thoughtful and measured. It should urge a cautious and prudent response that will hold the perpetrators accountable and will not cause an escalation of the indiscriminate violence against innocent civilians that is the hallmark of terrorism.

Earlier I spoke of personal friends who escaped from the World Trade Center moments before the building collapsed. I could read name after name, some of those people. But I think what's important is what many of them said when they left messages on the university Web site: "Thank God I'm alive." "Thank God for those of us who survived." "We must ensure that this can never happen again."

What does it mean to ensure that this can never happen again? All of us aspire to have a democratic world where peace wins over war, where humanitarian efforts and humanity conquer the differences between us and good triumphs over evil.

What does that mean? Does it mean that a violent strike should happen against innocent people somewhere else in the world? I don't think so. A military response on its own will only feed into the clutches of terrorists, who feast on violence. They want nothing more than to perpetrate an apocalyptic conclusion of death and destruction. This is not our vision for the world nor should it be anyone's.

Those who say bombing civilians is the proper first line of offence need to reflect. How will that help to defuse the conflict in nations where life is hopeless and holds little meaning?

We need to offer our American neighbours and friends wise counsel. As a global community, we must examine the social and economic conditions that allow terrorism and fanaticism to develop.

I would in fact counsel our American neighbours to read some of the people who have been trying to give advice over the last six or seven years. Robert Kaplan is known as a right-of-centre military historian in the United States. He wrote a book recently called *The Coming Anarchy*. I just want to refer to his credentials. He's a senior fellow at the New America Foundation. He is also a consultant to the US Army Special Forces Regiment.

He entitles the first chapter of his book "The Coming Anarchy: How scarcity, crime, overpopulation, tribalism and disease are destroying the social fabric of the planet."

One quote from him is particularly appropriate. He talks about his time in Tunisia, and he says, "As an unemployed Tunisian student once told me, 'In Tunisia

we have a 25% unemployment rate. If you hold elections in such circumstances, the result will be a fundamentalist government and violence like in Algeria.” A plea that we pay attention to that rising level of inequality.

Even George Soros, one of the wealthiest people in the world, someone who has made billions of dollars, now writes and speaks on an almost weekly basis of the need to address the growing inequality of the world. He points out that in parts of the world where people are now so poor, where the prospects for the future are even poorer, that this is the ground where fanaticism and terrorism find it all too easy to grow and to find converts.

We need to reach out to our neighbours, our friends south of the border, and, as I said earlier, offer them counsel, offer our advice. Yes, terrorism needs to be dealt with; yes, the people who were the perpetrators of these acts need to be brought to justice. But we must also be careful that we do not create further turf that is fertile ground for yet more terrorism and fanaticism. We need to recognize that we cannot continue to live in a world where growing inequality in fact creates the very conditions that we want to eliminate.

I congratulate all members of the House on this debate today and on this resolution, and I thank you, Speaker, for the opportunity on behalf of my colleagues in the New Democratic caucus to address these terribly important issues.

**Mr Norm Miller (Parry Sound-Muskoka):** The last couple of weeks have been devastating for people across our province, our country and the world. Most eyes and ears in Parry Sound-Muskoka have been focused on our televisions, newspapers and radios, watching the breaking news of the tragedy in the United States. We have witnessed an extreme tragedy, incomparable to anything most of us have experienced in our lifetimes. As the Americans grieve, so do we. Many families lost loved ones in the September 11 tragedy. I want to express my sincere sorrow to the families, friends and neighbours who are grieving.

It is heartwarming to know that the people of Parry Sound-Muskoka over the last couple of weeks have given blood and money to contribute to the people in the United States.

On a personal note, on September 11 at 9:30 am, there was a bus tour boarding a flight from Oklahoma City destined to arrive at my former business, the place I live, in Parry Sound-Muskoka. They ended up landing short of their destination, which was Chicago, and then busing the rest of the way to Parry Sound-Muskoka. They stayed five days at our resort, attended fall fairs, toured the riding and made do with their holiday over that time period. But I think as five days later they went to board the bus to return home, they were absolutely deeply touched by the many instances of caring that were demonstrated to them by the people of Parry Sound-Muskoka. They had tears in their eyes as they boarded this bus to return home and were very deeply touched by all of the people of Parry Sound-Muskoka.

I want to relate how, in our riding, I was in the arena last night and there was an American flag up there. I've never seen so many American flags in individual homes around the riding. There's a lot of care and respect for the Americans being shown in our riding.

To close, I'd like to quote Winston Churchill: “We shall draw from the heart of suffering itself the means of inspiration and survival.” I join our government in support of the resolution condemning the attacks that occurred in the United States and support our American friends in their fight against terrorism.

**Mr Frank Mazzilli (London-Fanshawe):** I stand on behalf of citizens of London-Fanshawe in supporting this resolution. The September 11 attack on the United States certainly was horrific. Together as nations, as citizens and as friends we mourn the tragic loss of life in those attacks, and we certainly struggle to come to terms with the severity.

We share with our American neighbours and nations across the world in the grief that has come about from the attacks and the senseless violence that has threatened our freedom. The tragedy of September 11 has affected North America. It has greatly affected Canadians, Ontarians and Londoners. The effect has been a tremendous outpouring of emotion, sympathy and grief. It has resulted in a united effort to help in any way that we can.

The people of Ontario have assisted. I want to personally thank the Premier for his strong leadership. I also wish to personally thank those who have volunteered their time and resources in aiding the relief efforts. I want to thank the emergency workers who have gone to New York to help out. I also want to thank every constituent and every Ontarian who has donated blood.

1720

The terrorist attacks on the United States have also had another unfortunate outcome, an outcome that is almost as tragic. It has led, as we have heard, to increased intolerance toward members of the Muslim faith and Arab Canadians. I have many friends, as we all have many friends and neighbours, both of the Muslim faith and Arab Canadians. Due to the tragedy, some of the members of our communities have lost sight of the fact that the terrorists who perpetrated these senseless acts are a world apart from our friends and neighbours who live within our borders and are hard-working Ontarians. The deplorable acts of September 11 were carried out by extremists. We must remember that the true enemies in this tragedy are terrorists and terrorism. Let us not fall into the trap of intolerance.

**Mr Bert Johnson (Perth-Middlesex):** Arm in arm, shoulder to shoulder, we stand to demonstrate our support to those affected by the attacks on September 11. I want to take this opportunity to thank and recognize the constituents in my riding who have shown their compassion, their unwavering support and their generosity toward our American neighbours over the last two weeks.

I want to share with you two stories from Perth-Middlesex. The Shakespeare Fire Department, made up of volunteers, organized a toll road along Highway 7/8.

In just a few hours, the firefighters raised more than \$12,000 for their colleagues from the United States in New York City.

Sandra Wilson, from the St Marys area, is mobilizing her friends and neighbours to make 100 World Trade Center comfort quilts for the Canadian families who lost their loved ones in this tragedy.

There are many other stories of individuals, businesses, non-profit groups and schools that have organized events and activities to pay tribute to the victims of the terrorist attacks.

I also want to thank my constituents, many of whom travelled long distances to visit my constituency office in Stratford to sign the book of remembrance and offer their personal thoughts.

I also want to recognize the emergency personnel, firemen, policemen and others from my riding who are in the United States.

Finally, I want to thank our Premier for his leadership during this difficult time and for quickly offering Ontario's support and resources to the US government.

I strongly support today's resolution. We should do everything in our legislative authority to ensure that terrorism has no place in the province of Ontario.

To my American neighbours, you are to be commended for your resilience, your indomitable spirit, and for exercising restraint and caution when a quick retaliation is so tempting.

On July 29, 30 and 31, the member for Toronto Centre-Rosedale, the member Algoma-Manitoulin and I had the privilege of attending the Midwestern Legislative Conference in Lincoln, Nebraska, and today we think many thoughts of our colleagues in the Midwest.

On behalf of the constituents of Perth-Middlesex, please accept my sincerest sympathies and condolences. Our thoughts and our prayers are with you.

God bless America. God save the Queen.

**Mr Jerry J. Ouellette (Oshawa):** As close as yesterday, my sons Josh, who is five, and Garrett, who is four, my wife, Dianne, and I were walking down the street, and you couldn't gain anything more than a sense of pride as we went down our street and we looked and we saw house after house after house displaying nothing but Canadian and American flags side by side in a show of pride.

My concern is that we in Canada shelter so many from the realities of the world. Let me explain. On September 11, I came home and had the TV on, as many did. My son, Garrett, came in. I started to explain what was happening, how the World Trade Center had been attacked with a plane and was on fire. My wife, rightly or wrongly, said, "I don't think he should be watching that." I thought, "No, Dianne, Garrett needs to see this. The youth need to understand." Garrett, who is four, proceeded to tell grandma how the world was on fire. I said, "No, Garrett, it's probably not the world, although it could be. It's our job to make sure that if it is, we control that burn and take care of it the way it's supposed to be."

We here in Canada base our lives solely on our standard and not on the realities of the world. But on September 11, that reality came a little bit closer. Our children are seeing times that many of us only read about, and many more fought and died so that our children would only have to read about such events. We've not asked to be placed in this situation. We must only react in a manner that clearly states the unacceptability of the events of September 11 and that they never happen again.

Difficult times do lay ahead, but the strength of the citizens of Ontario and the nation of Canada and the free world will triumph and survive.

**Mr Carl DeFaria (Mississauga East):** Let no civilized person ever forget that September 11, 2001, was a day when the world saw the ugly face of evil, a day when evil was an affront, not just to our neighbours and friends in the USA but an affront to humanity.

The murderous acts of September 11, when thousands of innocent men and women going through their normal working lives were murdered by deliberate acts of organized terrorism, gave a new meaning to the horror of what some in the past have described as helter-skelter.

Let no one try to justify these senseless acts of terrorism. There cannot be any justification for mass murder. These acts of terrorism were acts of war against humanity, and we must all stand together with our American friends and our international allies. That's why I am proud of the leadership and the response of Ontarians, of Premier Mike Harris and the Ontario government, to these acts of terrorism. Within two hours of the first strike at the World Trade Center, the Ontario government invoked emergency measures to protect Ontarians and to put its emergency services ready to assist New York and our American friends.

That is true leadership. It is the kind of leadership we Ontarians will need in the years to come, to strengthen our laws and our Ontario Provincial Police force and to provide them tools to fight terrorism cells right here in Canada, to speak out and demand that the federal government clean up our refugee claims process to ensure that no one with a terrorism background ever gets a chance to land in Canada.

Canada is not—and I repeat, Canada is not—a haven for terrorists. We must stand on guard. We have a wonderful and diverse society built by hard-working men and women, but we must stand on guard to preserve our security, our quality of life and the freedoms that we enjoy in this wonderful land.

Today we join our American friends in prayers and in pursuit of justice. Together we shall overcome this tragedy. God bless America.

**Mr Garfield Dunlop (Simcoe North):** I'm pleased to rise this afternoon to speak in favour of this resolution. I thank the three leaders—Premier Harris, Mr McGuinty and Mr Hampton—for their leadership in allowing this debate to occur today. It allows each and every member of this Legislature the opportunity to extend our condolences to the thousands of families who have seen their dreams shattered by this terrible act of destruction.

September 11, 2001, will remain with us as one of those very horrifying days in our history. When we went to sleep later that evening, the problems that we started the day off with seemed to be non-existent compared to what we witnessed that morning. Who will ever forget the sight of that second airliner piercing through the side of the World Trade Center, or how could we ever imagine the thought of those skyscrapers collapsing like a Lego set, or later, when it was announced that hundreds of emergency service workers had lost their lives, along with the thousands of others?

On behalf of the residents of Simcoe North, I want to extend my condolences to the thousands of people who were impacted by this barbaric deed. Although evil may have destroyed buildings and lives in this round, it has only strengthened the resolve of democracy and freedom to prevail.

God bless America, God bless Canada and God bless the freedom we enjoy.

1730

**Hon Rob Sampson (Minister of Correctional Services):** Much has been said in this chamber today around the events of September 11, and I suspect that as we go through this session in the next number of days, weeks, months, probably years, the events surrounding September 11 and events subsequent to that will be mentioned in this chamber. We've heard a lot of stories about the heroism of that day, about those who perished and about those who are still suffering. I suspect there will be more stories as the events unfold over the next number of days, weeks and years.

I agree with the member from Huron. I doubt that a number of years from now there will be very many people in this chamber who won't think of September 11 by the signposts as to where they were on that particular day, much like those who think of the assassination of JFK on the basis of where they were that particular day. I hope what we remember, as we look forward in the days and months and years to come, is that this is the day, the month, the year in which society in general decided to challenge those who wanted to be a threat to society itself, to justice itself.

I hope the historians will look upon that particular day as a turning point for the people of this country, of this province, of this world, where we are prepared to tackle the likes of the terrorists who wanted to tear us apart. God bless Canada. God bless Ontario. God bless America.

**Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs):** On behalf of my residents of Ottawa-Orléans, I offer our condolences and sympathies as well to the families of victims in that terrible tragedy that befell our neighbours in the States.

On September 11 I was at the Outdoor Farm Show in Woodstock. As the information started to be relayed to us, I can recall the look of horror, disbelief and shock on the faces of the thousands of people who were at this particular farm show. Then you could hear some of the discussions on how this could happen in our society.

How could it happen so close to home? This was something that was totally foreign to us.

A week later in Navan, at the International Plowing Match, the same aura of disbelief was still in the air. I had the pleasure of having as my guest the Secretary of Agriculture in the state of Pennsylvania, the Honourable Sam Hayes, who had joined me for the day. We also had the New York State Fair, who had partnered with us in putting on this particular event, and many of our New York/Pennsylvania/Vermont neighbours were with us on that particular day. We talked about the commonalities we had, shared and enjoyed between our two nations, and the outpouring of grief and sympathies for our fellow Americans and that grieving process indicated the commonalities that we share on a day-to-day basis. Much of the discussion centred around the fact that we take for granted the freedoms we enjoy in our free, democratic society, and the resolve we must have in the future to preserve those, and the continual work to preserve those freedoms we enjoy and live with each and every day.

**Mr Ernie Hardeman (Oxford):** It's indeed a privilege to be able to extend these sympathies and condolences on behalf of the constituents in Oxford county.

It goes without saying that I strongly support the resolution that is before the House, with the support of all parties, because I think it's very important that we work with our friends and our neighbours to the south to make sure that something like this will never happen again.

I want to put on the record the concern and sympathy of the people of Oxford for the people of the United States. I had the privilege on September 16 to attend a church service which was designed and put on to recognize the contribution our emergency services make to our society each and every day. This church service wasn't organized because of what happened in New York or Washington or Pennsylvania. This church service was organized many months ago in order to recognize the contributions these emergency services make. I want to extend that to this House and to all the emergency services people in my riding.

As we were at the service, one of the people coming up to speak at the microphone was talking about the contribution. They talked about the people who were in the World Trade Center when this tragedy happened, who had no idea when they went to work in the morning of the risk they were going to encounter that day. The emergency services workers did know the risk and likelihood of harm to themselves that they were entering into when they were called, yet none of them refused. They all entered and did their job.

Also in my community, one of the things they have been doing to help is trying to raise money for the people who were so affected in the United States. Last Saturday, the firemen in the city held a car wash. I went and had my car washed. While they did that, they also gave us a little ribbon to wear. Before I got home, two people asked me how they could get one of those ribbons so they could show their support for the people who had suffered so greatly. That's how the people in my riding felt about

this catastrophe that happened to their neighbours to the south. On their behalf, I'd like to extend condolences to all those people who were so impacted by this disaster in the United States.

**The Speaker:** Further debate?

Mr Harris moves, seconded by Mr McGuinty and Mr Hampton:

To respond to events of September 11, 2001, in which thousands of innocent men and women, including Canadian citizens, were attacked and murdered by terrorists;

To acknowledge that these acts were evil, immoral and an affront to humanity;

To respond as well to recent and unfortunate incidents, in Ontario and elsewhere, of intolerance directed toward Muslims and members of other visible minority communities;

To join with all peaceful, law-abiding people who want compassion to be shown to the victims and justice to be served;

The Legislative Assembly of the province of Ontario, on behalf of the people of Ontario:

Unanimously joins Parliaments and governments around the world in condemning both these attacks and those responsible for them;

Commits the resources of Ontario to assist the people of the United States in dealing with the aftermath of these terrific tragedies;

Declares that Ontario stands ready to help bring to justice all those responsible for these heinous acts;

Pledges to do everything within its power to ensure that there is no place in Ontario for agents or supporters of terrorism;

Condemns all hate crimes and reaffirms the commitment of all legislators to uphold our province's proud tradition of tolerance and respect for diversity and to do everything in our power to ensure that all Ontario residents continue to treat one another, regardless of race, religion, background or ethnic origin, with generosity, compassion, dignity and respect.

Is it the pleasure of the House that the motion carry? Carried.

**Hon Mrs Ecker:** I would like to let the record show that this motion was carried unanimously, by all members of this House.

**The Speaker:** Agreed? Agreed.

Would all members and those in the galleries please rise for the playing of the national anthems of the United States and Canada.

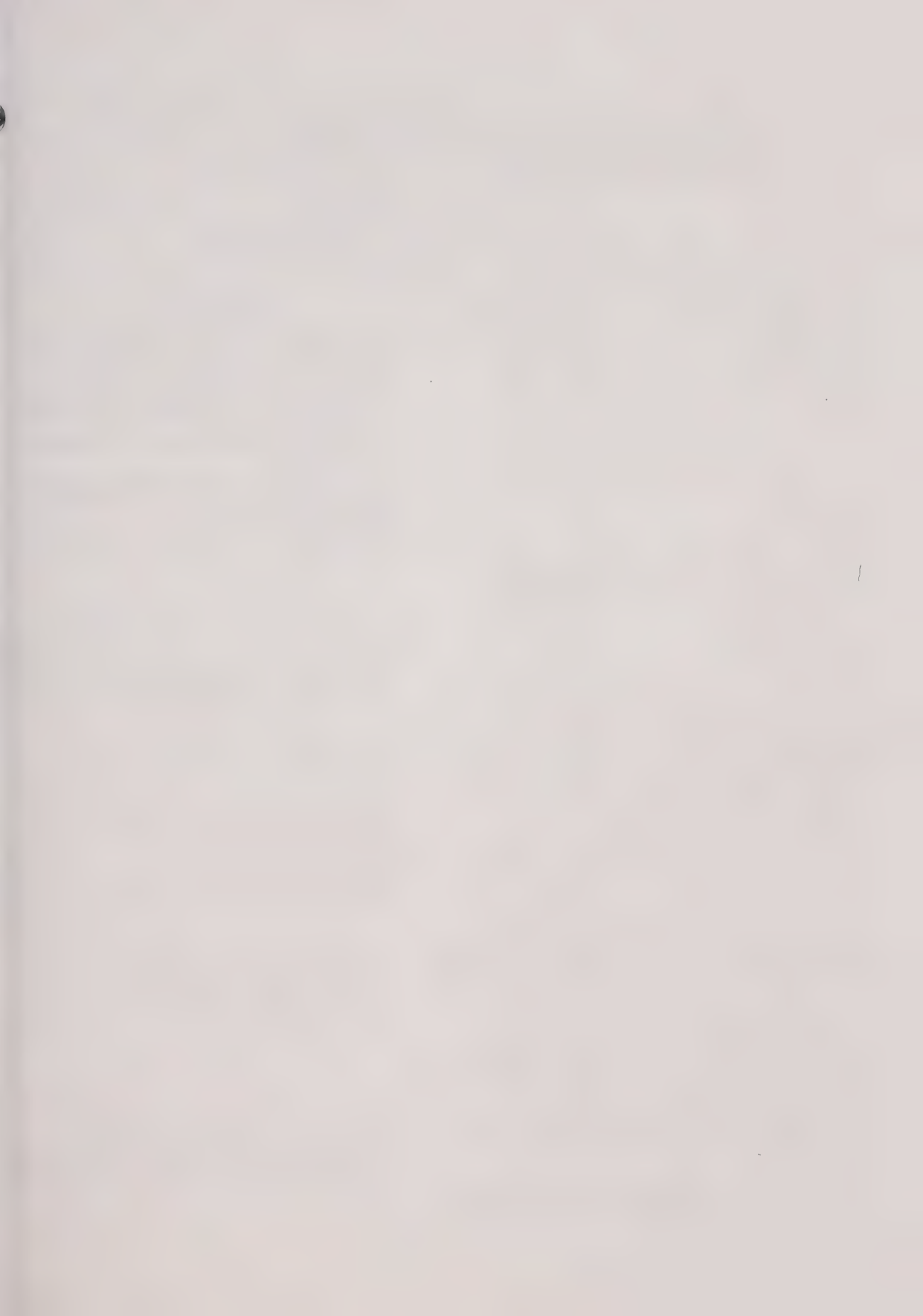
*The national anthem of the United States and the national anthem of Canada were played.*

**The Speaker:** This House now stands adjourned until 1:30 o'clock Tuesday, September 25, 2001.

*The House adjourned at 1742.*







**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenante-gouverneure: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Agostino, Dominic (L)	Hamilton East / -Est	chief opposition whip / whip en chef de l'opposition
Arnott, Ted (PC)	Waterloo-Wellington	Parliamentary assistant to the Minister of the Environment / adjoint parlementaire à la ministre de l'Environnement
<b>Baird, Hon / L'hon John R. (PC)</b>	Nepean-Carleton	Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué au dossier de l'Enfance, ministre délégué aux Affaires francophones
Barrett, Toby (PC)	Haldimand-Norfolk-Brant	Parliamentary assistant to the Minister of Natural Resources / adjoint parlementaire au ministre des Richesses naturelles
Bartolucci, Rick (L)	Sudbury	deputy opposition House leader / chef parlementaire adjoint de l'opposition
Beaubien, Marcel (PC)	Lambton-Kent-Middlesex	
Bisson, Gilles (ND)	Timmins-James Bay / Timmins-Baie James	
Bountrogianni, Marie (L)	Hamilton Mountain	
Boyer, Claudette (Ind)	Ottawa-Vanier	
Bradley, James J. (L)	St Catharines	
<b>Brown, Michael A. (L)</b>	Algoma-Manitoulin	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président de la Chambre et Président du Comité plénier de l'Assemblée législative
Bryant, Michael (L)	St Paul's	
Caplan, David (L)	Don Valley East / -Est	deputy opposition whip / whip adjoint de l'opposition
<b>Carr, Hon / L'hon Gary (PC)</b>	Oakville	Speaker / Président
Christopherson, David (ND)	Hamilton West / -Ouest	
Chudleigh, Ted (PC)	Halton	Parliamentary assistant to the Minister of Economic Development and Trade / adjoint parlementaire au ministre du Développement économique et du Commerce
Churley, Marilyn (ND)	Toronto-Danforth	chief New Democratic Party whip / whip en chef du Nouveau Parti démocratique
<b>Clark, Hon / L'hon Brad (PC)</b>	Stoney Creek	Minister of Transportation / ministre des Transports
Cleary, John C. (L)	Stormont-Dundas- Charlottenburgh	
<b>Clement, Hon / L'hon Tony (PC)</b>	Brampton West-Mississauga / Brampton-Ouest-Mississauga	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
<b>Coburn, Hon / L'hon Brian (PC)</b>	Ottawa-Orléans	Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Colle, Mike (L)	Eglinton-Lawrence	
Conway, Sean G. (L)	Renfrew-Nipissing-Pembroke	
Cordiano, Joseph (L)	York South-Weston / York-Sud-Weston	
Crozier, Bruce (L)	Essex	
<b>Cunningham, Hon / L'hon Dianne (PC)</b>	London North Centre / London-Centre-Nord	Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Curling, Alvin (L)	Scarborough-Rouge River	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
DeFaria, Carl (PC)	Mississauga East / -Est	Parliamentary assistant to the Minister of Citizenship / adjoint parlementaire au ministre des Affaires civiques
Di Cocco, Caroline (L)	Samia-Lambton	
Dombrowsky, Leona (L)	Hastings-Frontenac-Lennox and Addington	
Duncan, Dwight (L)	Windsor-St Clair	opposition House leader / chef parlementaire de l'opposition
Dunlop, Garfield (PC)	Simcoe North / -Nord	Parliamentary assistant to the Minister of Education and government House leader / adjoint parlementaire à la ministre de l'Éducation et leader parlementaire du gouvernement
<b>Ecker, Hon / L'hon Janet (PC)</b>	Pickering-Ajax-Uxbridge	Minister of Education, government House leader / ministre de l'Éducation, leader parlementaire du gouvernement
<b>Elliott, Hon / L'hon Brenda (PC)</b>	Guelph-Wellington	Minister of Intergovernmental Affairs / ministre des Affaires intergouvernementales
<b>Flaherty, Hon / L'hon Jim (PC)</b>	Whitby-Ajax	Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Galt, Doug (PC)	Northumberland	Parliamentary assistant to the Minister of Agriculture, Food and Rural Affairs / adjoint parlementaire au ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Gerretsen, John (L)	Kingston and the Islands / Kingston et les îles	
Gilchrist, Steve (PC)	Scarborough East / -Est	
Gill, Raminder (PC)	Bramalea-Gore- Malton-Springdale	Parliamentary assistant to the Minister of Training, Colleges and Universities / adjoint parlementaire à la ministre de la Formation et des Collèges et Universités
Gravelle, Michael (L)	Thunder Bay-Superior North / -Nord	
Guzzo, Garry J. (PC)	Ottawa West-Nepean / Ottawa-Ouest-Nepean	
Hampton, Howard (ND)	Kenora-Rainy River	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Hardeman, Ernie (PC)	Oxford	Parliamentary assistant to the Deputy Premier and Minister of Finance / adjoint parlementaire au vice-premier ministre et ministre des Finances
<b>Harris, Hon / L'hon Michael D. (PC)</b>	Nipissing	Premier and President of the Executive Council / premier ministre et président du Conseil exécutif
Hastings, John (PC)	Etobicoke North / -Nord	Parliamentary assistant to the Minister of Energy, Science and Technology / adjoint parlementaire au ministre de l'Énergie, des Sciences et de la Technologie
<b>Hodgson, Hon / L'hon Chris (PC)</b>	Haliburton-Victoria-Brock	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Hoy, Pat (L)	Chatham-Kent Essex	
<b>Hudak, Hon / L'hon Tim (PC)</b>	Erie-Lincoln	Minister of Tourism, Culture and Recreation / ministre du Tourisme, de la Culture et des Loisirs
<b>Jackson, Hon / L'hon Cameron (PC)</b>	Burlington	Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées
<b>Johns, Hon / L'hon Helen (PC)</b>	Huron-Bruce	Minister without Portfolio (Health and Long-Term Care) / ministre sans portefeuille (Santé et Soins de longue durée)
<b>Johnson, Bert (PC)</b>	Perth-Middlesex	Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative
Kells, Morley (PC)	Etobicoke-Lakeshore	Parliamentary assistant to the Minister of Municipal Affairs and Housing / adjoint parlementaire au ministre des Affaires municipales et du Logement
Kennedy, Gerard (L)	Parkdale-High Park	
Klees, Frank (PC)	Oak Ridges	
Kormos, Peter (ND)	Niagara Centre / -Centre	New Democratic Party House leader / chef parlementaire du Nouveau Parti démocratique
Kwinter, Monte (L)	York Centre / -Centre	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Lalonde, Jean-Marc (L)	Glengarry-Prescott-Russell	
Levac, Dave (L)	Brant	
Marchese, Rosario (ND)	Trinity-Spadina	
Marland, Margaret (PC)	Mississauga South / -Sud	
Martel, Shelley (ND)	Nickel Belt	
<b>Martin, Tony</b> (ND)	Sault Ste Marie	First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Martiniuk, Gerry (PC)	Cambridge	
Maves, Bart (PC)	Niagara Falls	Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire au ministre de la Santé et des Soins de longue durée
Mazzilli, Frank (PC)	London-Fanshawe	Parliamentary assistant to the Minister of Tourism, Culture and Recreation / adjoint parlementaire au ministre du Tourisme, de la Culture et des Loisirs
McGuinty, Dalton (L)	Ottawa South / -Sud	Leader of the Opposition / chef de l'opposition
McLeod, Lyn (L)	Thunder Bay-Atikokan	
McMeekin, Ted (L)	Ancaster-Dundas-Flamborough- Aldershot	
Miller, Norm (PC)	Parry Sound-Muskoka	
Molinari, Tina R. (PC)	Thornhill	Parliamentary assistant to the Minister of Community and Social Services and Minister responsible for Children / adjointe parlementaire au ministre des Services sociaux et communautaires et ministre déléguée au dossier de l'Enfance
Munro, Julia (PC)	York North / -Nord	Parliamentary assistant to the Minister of Transportation / adjointe parlementaire au ministre des Transports
Murdoch, Bill (PC)	Bruce-Grey-Owen Sound	Parliamentary assistant to the Minister of Labour / adjoint parlementaire au ministre du Travail
Mushinski, Marilyn (PC)	Scarborough Centre / -Centre	Parliamentary assistant to the Premier / adjointe parlementaire au premier ministre
<b>Newman, Hon / L'hon Dan</b> (PC)	Scarborough Southwest / -Sud-Ouest	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
O'Toole, John R. (PC)	Durham	Parliamentary assistant to the Minister of Finance / adjoint parlementaire au ministre des Finances
Ouellette, Jerry J. (PC)	Oshawa	Parliamentary assistant to the Minister of Northern Development and Mines / adjoint parlementaire au ministre du Développement du Nord et des Mines
Parsons, Ernie (L)	Prince Edward-Hastings	
Patten, Richard (L)	Ottawa Centre / -Centre	
Peters, Steve (L)	Elgin-Middlesex-London	
Phillips, Gerry (L)	Scarborough-Agincourt	
Pupatello, Sandra (L)	Windsor West / -Ouest	
Ramsay, David (L)	Timiskaming-Cochrane	
<b>Runciman, Hon / L'hon Robert W.</b> (PC)	Leeds-Grenville	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Ruprecht, Tony (L)	Davenport	
<b>Sampson, Hon / L'hon Rob</b> (PC)	Mississauga Centre / -Centre	Minister of Correctional Services / ministre des Services correctionnels
Sergio, Mario (L)	York West / -Ouest	deputy opposition whip / whip adjoint de l'opposition
Smitherman, George (L)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	
<b>Snobelen, Hon / L'hon John</b> (PC)	Mississauga West / -Ouest	Minister of Natural Resources / ministre des Richesses naturelles
Sorbara, Greg (L)	Vaughan-King-Aurora	
Spina, Joseph (PC)	Brampton Centre / -Centre	Parliamentary assistant to the Minister of Consumer and Business Services / adjoint parlementaire au ministre des Services aux consommateurs et aux entreprises

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
<b>Sterling, Hon / L'hon Norman W. (PC)</b>	Lanark-Carleton	Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises
<b>Stewart, Hon / L'hon R. Gary (PC)</b>	Peterborough	Minister without Portfolio, chief government whip, deputy government House leader / ministre sans portefeuille, whip en chef du gouvernement, leader parlementaire adjoint
<b>Stockwell, Hon / L'hon Chris (PC)</b>	Etobicoke Centre / -Centre	Minister of Labour / ministre du Travail
<b>Tascona, Joseph N. (PC)</b>	Barrie-Simcoe-Bradford	Parliamentary assistant to the Solicitor General / adjoint parlementaire au solliciteur général
<b>Tilson, David (PC)</b>	Dufferin-Peel-Wellington-Grey	Parliamentary assistant to the Attorney General and minister responsible for native affairs / adjoint parlementaire au procureur général et ministre délégué aux Affaires autochtones
<b>Tsubouchi, Hon / L'hon David H. (PC)</b>	Markham	Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement
<b>Turnbull, Hon / L'hon David (PC)</b>	Don Valley West / -Ouest	Solicitor General / solliciteur général
<b>Wettlaufer, Wayne (PC)</b>	Kitchener Centre / -Centre	Parliamentary assistant to the Chair of the Management Board of Cabinet / adjoint parlementaire au président du Conseil de gestion du gouvernement
<b>Wilson, Hon / L'hon Jim (PC)</b>	Simcoe-Grey	Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
<b>Witmer, Hon / L'hon Elizabeth (PC)</b>	Kitchener-Waterloo	Minister of the Environment / ministre de l'Environnement
<b>Wood, Bob (PC)</b>	London West / -Ouest	Parliamentary assistant to the Minister of Correctional Services / adjoint parlementaire au ministre des Services correctionnels
<b>Young, Hon / L'hon David (PC)</b>	Willowdale	Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
<b>Vacant</b>	Beaches-East York	

# CONTENTS

Monday 24 September 2001

## ROYAL ASSENT

The Lieutenant Governor ..... 2049

## REPORTS BY COMMITTEES

### Standing committee on government agencies

The Speaker..... 2050  
Reports deemed adopted ..... 2050

## MOTIONS

### Attack on the United States

Mrs Ecker .....2050, 2067  
Mr Harris..... 2051  
Mr McGuinty ..... 2053  
Mr Hampton.....2054, 2078  
Mr Flaherty ..... 2055  
Mr Agostino ..... 2056  
Mr Gill ..... 2056  
Mr Bartolucci ..... 2056  
Mr Young..... 2056  
Mrs Bountrogianni ..... 2057  
Mrs Molinari ..... 2057  
Mr Bradley ..... 2057  
Mr Turnbull ..... 2058  
Mr Brown..... 2058  
Mr Wood..... 2058  
Mr Bryant..... 2059  
Mr Hodgson ..... 2059  
Mrs Boyer ..... 2059  
Mr Caplan ..... 2060  
Mr O'Toole ..... 2060  
Mr Colle ..... 2060  
Mr Snobelen..... 2061  
Mr Cordiano..... 2061  
Mrs Munro ..... 2061  
Mr Crozier..... 2061  
Mr Runciman ..... 2061  
Mr Curling..... 2062  
Mr Spina..... 2062  
Ms Di Cocco ..... 2062  
Mr Tsubouchi..... 2063  
Mrs Dombrowsky..... 2063  
Mr Arnott ..... 2063  
Mr Duncan ..... 2064  
Mrs Johns ..... 2064  
Mr Gerretsen ..... 2064  
Mr Barrett..... 2065  
Mr Gravelle..... 2065  
Mr Christopherson ..... 2065  
Mr Clark..... 2066  
Mr Hoy ..... 2066

Mrs Marland ..... 2067  
Mr Kennedy ..... 2067  
Mr Kwinter ..... 2067  
Mr Hastings ..... 2068  
Mr Lalonde ..... 2068  
Mr Baird ..... 2068  
Mr Levac ..... 2069  
Mr Jackson..... 2069  
Mrs McLeod ..... 2069  
Mr Galt ..... 2070  
Mr McMeekin..... 2070  
Mr Newman..... 2070  
Mr Parsons..... 2071  
Ms Mushinski ..... 2071  
Mr Patten ..... 2072  
Mrs Elliott..... 2072  
Mr Peters ..... 2072  
Mr Klees ..... 2073  
Mr Phillips ..... 2073  
Mr Gilchrist ..... 2073  
Mrs Pupatello..... 2074  
Mr Stewart ..... 2074  
Mr Ramsay ..... 2074  
Mr Maves..... 2075  
Mr Ruprecht..... 2075  
Mr Sterling..... 2075  
Mr Sergio..... 2076  
Mr Tascona..... 2076  
Mr Smitherman..... 2076  
Mrs Cunningham ..... 2077  
Mr Sorbara..... 2077  
Mr Tilson ..... 2077  
Mr Miller ..... 2079  
Mr Mazzilli ..... 2079  
Mr Johnson..... 2079  
Mr Ouellette..... 2080  
Mr DeFaria ..... 2080  
Mr Dunlop ..... 2080  
Mr Sampson..... 2081  
Mr Coburn ..... 2081  
Mr Hardeman..... 2081  
Agreed to ..... 2082

## Report, Integrity Commissioner

The Speaker..... 2050

## Wearing of red, white and blue ribbons

The Speaker..... 2050

## Visitors

The Speaker..... 2050

## TABLE DES MATIÈRES

Lundi 24 septembre 2001

## SANCTION ROYALE

La lieutenant-gouverneure ..... 2049

## MOTIONS

### Attaque contre les États-Unis

M<sup>me</sup> Boyer ..... 2059  
M. Lalonde ..... 2068  
Adoptée ..... 2082

## OTHER BUSINESS

### Introduction of member

#### for Vaughan-King-Aurora

The Speaker ..... 2049  
Mr McGuinty ..... 2049

### By-election in Beaches-East York

The Speaker ..... 2049

### Report, chief election officer

The Speaker ..... 2050

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**Legislative Assembly  
of Ontario**

Second Session, 37<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Deuxième session, 37<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Tuesday 25 September 2001**

**Mardi 25 septembre 2001**

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 25 September 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 25 septembre 2001

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### HOME CARE

**Mr Richard Patten (Ottawa Centre):** I'd like to address the funding freeze to the community care access centre that this government announced last spring. The freeze amounts to a significant budget cut when you allow for the very large increase this past year in people who require some sort of home care. The effect has, in summary, been devastating. Patients who were saving the system vast amounts of money by living and caring for themselves at home, as opposed to being in the hospital, are being rewarded for their diligence and bravery by having the province cut back on their already meagre services.

I hold in my hand a dozen heartbreaking stories sent to me by constituents. These are not form letters. Many of them are handwritten, some a little shaky, but sent with great care. They are heartfelt pleas from people doing their very best in often troubled circumstances just to get by.

One letter is from a woman in her late 60s who is the sole caretaker for her 93-year-old mother. The woman has some health problems. She has heart disease; osteoarthritis in her knee, hip and back, and can only walk with the help of a cane; fibromyalgia; and kidney and bladder problems. She is the sole caregiver of her 93-year-old mother, who has broken both hips and suffers from depression and mild dementia. What's her reward for this? The CCAC has had to cut her weekly hours by a third.

This is just one story among thousands across this province. I call upon the government to restore its commitment to those who are eagerly struggling, day in and day out, and to those who are sick but still fighting to care for themselves or their loved ones.

#### ROYAL CANADIAN LEGION

**Mr Doug Galt (Northumberland):** I rise in the House today to recognize Legion Week, which ran from September 16 to 22. The Royal Canadian Legion has long been a pillar of the community in Ontario. Through the sponsorship of youth programs, sporting events and

seniors programs they have promoted community involvement through individual and group effort. Legion volunteers have given numerous hours so that others can enjoy these special activities.

What's more, the sacrifices made by our war veterans are a big part of what makes Ontario strong. In fact, Veterans Affairs Canada shows that Ontario is home to 145 World War I veterans, 124,944 World War II veterans and 5,205 Korean War veterans. Many of these veterans are still very active in the Legion today.

Last Sunday I had the opportunity to attend the kickoff of Legion Week in Quinte West, where I helped lay a wreath commemorating the air battle of World War II. To meet personally with those veterans was indeed a touching experience.

The recent events in New York City have shown that the price of democracy is eternal vigilance. May those terrible occurrences act as a reminder of what our veterans endured to give us the peace and prosperity that we often take for granted today.

#### ERNIE COOMBS

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** Today it is an honour for me to pay tribute to someone who made children dream. He has been described as a national treasure. For 31 years, in more than 4,000 television shows, Ernie Coombs, better known as Mr Dressup, entertained countless fans of all ages.

He received numerous Gemini Awards for best children's programming, the first Children's Choice Award by the Association for Children and Television in 1994, and also the Earl Grey Award for excellence in TV from the Academy of Canadian Cinema and Television.

In 1996 he was named to the Order of Canada by Prime Minister Jean Chrétien, who called him an "icon, to be remembered for generations to come." His friend and colleague Fred Rogers, who hosted Mr Rogers' Neighborhood, said, "On and off the air, he was such a wonderfully artistic, whimsical man who never lost touch with the child within him." Children were always eager and delighted to see what Mr Dressup would pull out of his Tickle Trunk.

Mr Coombs was a gentle-natured entertainer who displayed creativity, playfulness and kindness. Ernie was reported to have thought he was a better person for being

Mr Dressup, and I would suggest that we are all better people as a result of his gift.

On Tuesday, September 18, Ernie died, predeceased by his wife. He is survived by his children Catherine, Chris and Barry. We offer them our prayers and condolences.

#### HAMILTON TEMPLE

**Mr David Christopherson (Hamilton West):** Yesterday, during our comments on the September 11 disaster, I mentioned the fact that the face of hatred had visited our city a few days afterwards with the burning of a Hindu temple, and I said that was not Hamilton and I talked about a meeting we had at city hall. My colleagues Dominic Agostino and Brad Clark were there, along with many other leaders in the community and religious leaders from across all the major faiths in our community.

I want to give a further update to this House as to how my community of Hamilton is responding. First of all, the people who attend the Hindu temple have received more than 20 offers of locations where they can hold their services. In fact, this Sunday they're holding their services at Barton Stone United Church. Just yesterday another offer was made to use the old York theatre on Concession Street at Upper Wentworth, which was recently renovated to the tune of \$1 million, and that's been made available to the members of that temple. Also, and I'm very proud to say this, the Hamilton building trades unions have stepped forward and offered their expertise to rebuild that temple, and if the funds aren't there, they are prepared to do it for nothing. That is the face of Hamilton and the face of Hamiltonians.

#### VIOLENCE PREVENTION WEEK

**Mrs Julia Munro (York North):** I rise today to acknowledge Violence Prevention Week, led by the Ontario Society for the Prevention of Cruelty to Animals. I joined the Solicitor General yesterday to help launch this week designed to raise awareness on the demonstrated link between the abuse of animals and violence toward people. The Ontario SPCA leads the way on this important link. With financial support from our government, through the office of the Solicitor General, the SPCA has been able to implement a groundbreaking animal-assisted therapy project matching hard-to-adopt shelter dogs with young offenders in an intensive 13-week program.

We all know about the recent successful raid on puppy mills. Our government was quick to respond with \$50,000 by the Solicitor General to help with the burden of over 200 rescued animals. This money will also help with the creation of a special operations unit dedicated to seeking out and shutting down puppy mills. My congratulations to Victoria Earle, the CEO, the members of the board, staff and the many volunteers who work so

hard to make sure that the goals of violence prevention are met this week and year-round.

1340

#### HATE CRIMES

**Mr Dominic Agostino (Hamilton East):** I rise today along with, I'm sure, every single member of the Legislature to condemn the racist and hate-motivated attacks that have occurred in our community of Hamilton in the last two weeks. As you know, a Hindu temple was burned down and a Hamilton mosque was vandalized. This is not reflective of Hamiltonians; it is reflective only of a small group of renegades who are motivated by race and hate and nothing else. We stand today united with our friends in the religious communities in Hamilton in fighting this action.

Premier Harris, on September 18, announced a \$3-million fund to help the victims of the terrorist attacks in the United States. It was the right decision, the right thing to do. I ask today that the Premier of Ontario offer financial assistance to the city of Hamilton, to the religious mosques in Hamilton, to the Hindu temples, to the places of worship that are under attack, in regard to the extra security they have to put into place to deal with that, in regard to the extra police resources that are necessary, in regard to the extra work that is happening.

I believe that we need the assistance. I ask the Premier in the same spirit of co-operation in which we have worked in this House yesterday—and we all stand together on this issue—to reach out and offer whatever assistance can be given to the city of Hamilton, to the organizations of Hamilton that are fighting this, so that together we can send out a very clear message that we stand united against racist hate that is going on, and we stand together for all Ontarians as one.

Mr Premier, I ask you for that help; I hope you give it to us.

#### ATTACK ON THE UNITED STATES

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** As Ontarians stand together with our neighbours and friends in the United States, we are concerned about the failure of our Prime Minister to do the right thing and visit ground zero in New York. The response from Premier Harris and ordinary Ontarians far outshines our Prime Minister's lacklustre performance.

Today I would like to single out four Brampton firefighters—Rob Morrison, Brian Gorman, Scott Walker and Neil Kennedy—who jumped into Mr Kennedy's car at 8:30 pm on Tuesday, September 11, and headed to New York City. These Brampton firefighters did not wait to be asked for help; they did what they thought was right. The 43-year-old Kennedy, a 14-year veteran, said, "Our first priority was to try to locate local firefighters and get them out."

These men knew that those who lost their lives were not only employees working at the World Trade Center,

but many were everyday heroes; they were firemen, police officers and the civilians who took extraordinary risks to save others.

These men are heroes who followed their hearts, trusted their judgment and did what was right without waiting for an invitation.

I am pleased to say the residents of Bramalea-Gore-Malton-Springdale, like our firemen, proudly stand with our Premier Mike Harris, President Bush and all the everyday heroes in Ontario, ready, willing and committed to doing our duty in this struggle against terrorism, domestic or international.

On behalf of all Ontarians, I would like to thank our four Brampton firemen for doing our city, province and country proud.

### SERVICES FOR THE HEARING-IMPAIRED

**Mr Ernie Parsons (Prince Edward-Hastings):** I would like to thank the Minister of the Environment and the Minister of Health for the telephone service that they provide to those who are hearing-impaired; to the other 22 ministers: shame on you, absolute shame on you. As you move to your centralized control, you've established toll-free telephone numbers for any citizen in Ontario to contact your central office—as long as they can speak. But every other TTY line is a payable line. You have 1-800 numbers only for those with voices.

The Minister of Citizenship is responsible for developing an ODA act, a work in progress for quite some years now. A general inquiry if anyone wished to phone: 1-800; the TTY line: 1-416.

The Minister of Community and Social Services, who is responsible for the payment to those who have the disability, pays Andersen Consulting thousands of dollars a day. They can call free. Someone who is a recipient under the ODSP and receives approximately \$11,000 a year maximum must dial a 1-416 number and pay to find out why their meagre cheque has not been sent or what is going on with their case.

Ministers and Premier, I call upon you to act immediately. Get rid of the two-tier system and give the hearing-impaired full access to the government services they pay for.

### ONTARIO AGRICULTURE WEEK

**Mr Bert Johnson (Perth-Middlesex):** I rise in the Legislature today to remind members that next week is Ontario Agriculture Week. To mark this occasion, I'm sponsoring a kickoff breakfast on Monday, October 1, in the legislative dining room beginning at 8 am. I hope that all my colleagues from both sides of the Legislature will join me and our agriculture minister, as representatives from all the commodity groups will be there as well.

I also want to inform members of another event taking place next week in Toronto at Nathan Phillips Square on Wednesday, October 3, 2001. This event is being organized by the Ontario Federation of Agriculture. This will be of particular interest to the member from Windsor.

For my constituents, I would like to invite them to drop by my constituency office on Friday, October 5, between 2 and 4 pm, for an open house to help celebrate the billion-dollar agri-food industry in Perth-Middlesex.

I introduced the Ontario Agriculture Week Act in 1998 to provide an opportunity for everyone in our province to celebrate the contributions of Ontario's agricultural communities and farm families. Individuals and organizations can help salute our agri-food industry in their own way in their own community by sponsoring local appreciation dinners, encouraging restaurants to feature Ontario-grown food, or organizing a farm tour. These types of activities will help remind Ontarians of the unique role played by those who help bring food from the farm gate to their dinner plate.

During Ontario Agriculture Week, show your support for our farmers. Invite Ontario home for dinner.

### LEGISLATIVE INTERNS

**The Speaker (Hon Gary Carr):** Just before we begin, in the Speaker's gallery we have some honoured guests. We have with us the legislative interns for 2001-02.

We have Lyndsey Saunders, Samantha Majic, Sara Lyons, Peter Hargreave, Nathan Fisher, Karim El-Bardeesy, Maria DiFabrizio and James Cairns.

Please join me in welcoming our special guests.

### LEGISLATIVE PAGES

**The Speaker (Hon Gary Carr):** I would also ask all the members to join in welcoming the legislative pages serving in the second session of the 37th Parliament. With us we have Meg Allenby from Haldimand-Norfolk-Brant; Thomas Fabian from Don Valley West; Paul Gosset from Eglinton-Lawrence; Anthony Harrison from Renfrew-Nipissing-Pembroke; Christopher Henry from Toronto Centre-Rosedale; Andrea Holmes from Pickering-Ajax-Uxbridge; Jonathan Hwang from Halton; Gregory Keefe from Mississauga East; Ellen Leitch from London North Centre; Rachel Marsh-Petronis from York Centre; Emma McGuire from Kingston and the Islands; Kathryn Miskell from Kitchener-Waterloo; Owen Moffitt from Scarborough Centre; Ian Morrison from Haliburton-Victoria-Brock; Andrew Reszityk from Burlington; Caitlin Taguibao from Scarborough Southwest; Cynthia Tran from Essex; Ana Vadeanu from St Paul's; Katherine Walkiewicz from Simcoe-Grey; and Simon Yam from Trinity-Spadina.

Please join me in welcoming our new pages.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON PUBLIC ACCOUNTS

**Mr John Gerretsen (Kingston and the Islands):** I beg leave to present a report on institutional services and young offenders operations from the standing committee on public accounts and move the adoption of its recommendations.

**The Speaker (Hon Gary Carr):** Does the member wish to make a brief statement?

**Mr Gerretsen:** A very brief one, Speaker. There are 13 recommendations contained in the report. Just to highlight a few of them, the first one states that the Ministry of Correctional Services should conduct an evaluation of its modernization initiative under the adult infrastructure renewal project at the completion of the first year of operations. One of the other recommendations is that it should monitor external contracts to ensure compliance with the terms of the agreement, thereby avoiding problems such as overpayments on invoices and alterations to the original terms of the contract without the necessary approvals. We hope the ministry will take these into consideration and that they will follow the 13 recommendations contained in the report.

With that, I move adjournment of the debate.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

1350

**Mr Gerretsen:** I have another one, Speaker. We were a very, very busy committee this summer.

I beg leave to present a report on emergency health services from the standing committee on public accounts and move the adoption of its recommendations.

**The Speaker:** Does the member wish to make a brief statement?

**Mr Gerretsen:** Yes, Speaker. Again, in this report there are 14 recommendations which we hope the ministry will not only take into consideration but will implement.

Two of the main highlights of the report are that the ministry's assessment of the realignment of land ambulance services should include such matters as the maintenance of standards, the financial impact for municipalities and the province, and the determination whether this initiative is providing seamless, accessible, accountable, integrated and responsive services; and furthermore, that the ministry should complete a report on emergency room activity which would include but is not limited to the following: a review of the patient priority system at the end of the initial year of the operation to determine whether the problems experienced under the redirection consideration and critical care bypass model have been resolved.

Again, it is the committee's hope and wish that all of these recommendations will be followed.

With that, I move adjournment of the debate.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

## INTRODUCTION OF BILLS

### PUPPY MILL BAN AND ANIMAL CRUELTY PREVENTION ACT, 2001

### LOI DE 2001 SUR L'INTERDICTION DES USINES À CHIOTS ET LA PROTECTION DES ANIMAUX

**Mr Colle** moved first reading of the following bill:

Bill 100, An Act to ban puppy mills and other cruel animal-breeding activities and to protect animals bred for commercial sale from abuse by amending the Ontario Society for the Prevention of Cruelty to Animals Act / Projet de loi 100, Loi visant à interdire les usines à chiots et autres activités relatives à l'élevage qui sont cruelles et à protéger des mauvais traitements les animaux élevés à des fins commerciales en modifiant la Loi sur la Société de protection des animaux de l'Ontario.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement.

**Mr Mike Colle (Eglinton-Lawrence):** This bill would require the licensing of all pet breeders and kennels in Ontario; allow full inspections of breeders and kennels who operate in Ontario; make it a provincial offence to operate a puppy mill, with fines up to \$50,000 and/or two years in jail; allow for the imposition of a lifetime ban on individuals found operating puppy mills; impose fines on pet store owners who knowingly and willingly buy or sell pets from pet mills; and establish a publicly accessible provincial registry of pet breeders and kennels for the public to access.

## MOTIONS

### COMMITTEE MEMBERSHIP

**Hon Janet Ecker (Minister of Education, Government House Leader):** I move that the following amendments be made to the membership of certain committees:

Mr Colle replaces Mrs Bountrogianni on the standing committee on general government; Mr Crozier replaces Mr Cleary on the standing committee on public accounts; Mr Gravelle replaces Mr Crozier on the standing committee on government agencies; Mrs Munro replaces Mr Stewart on the standing committee on the Legislative Assembly; and Mr Marchese replaces Ms Lankin on the standing committee on regulations and private bills.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

## PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Janet Ecker (Minister of Education, Government House Leader):** I seek unanimous consent to put forward a motion without notice regarding private members' public business.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

**Hon Mrs Ecker:** I move that, notwithstanding standing order 96(g), the requirement for notice be waived with respect to ballot items 19, 20, 21 and 22.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

STATEMENTS BY THE MINISTRY  
AND RESPONSES

## GOVERNMENT'S AGENDA

**Hon Michael D. Harris (Premier):** When we formed the government, we had a bold vision for the people of Ontario. We believed that Ontario was indeed a great province, but it was a great province that could offer its citizens a great deal more. We knew that a strong economy was the key to improving people's lives. We knew that Ontario families should be able to do more than just pay the bills. They should be able to save for the things that matter to them, like a family vacation, or new hockey equipment for their kids. We knew that a strong economy means that our government will have the resources we need to invest in priorities like health care and education.

As we begin this fall sitting of the House, we remain more committed than ever to our vision of a province that offers all citizens good jobs, prosperity and the promise of a better life; quality health care close to home; an education system that teaches children reading, writing and math; a clean environment; and communities where people feel safe in their homes and on the streets.

One of the challenges facing all countries is the changing global competitive economy. The events of the past two weeks have indeed been traumatic and they have affected many areas of our lives, including the economy. But we believe these effects will be short-lived. Just as Mayor Giuliani said of New York, we believe that Ontario will be even stronger in the future.

Here in Ontario our economy is stronger than many others. But despite the jobs we have helped create and the lives we have helped turn around, we must do more to protect jobs and the financial security of our hard-working Ontario families.

This fall we will begin phasing in literacy testing for welfare recipients. Tests will identify those who need extra help so they can get the skills required to get a job and to get their lives back on track.

Ontario's entrepreneurs and small business owners are an important part of our competitive edge. During Small

Business Month we will recognize the important role they play in our economy.

In October we'll launch a new task force on competitiveness, productivity and economic progress. Headed by Roger Martin, one of Canada's leading experts in the field, it will monitor Ontario's competitiveness compared to other provinces and to the United States. By moving ahead with the task force recommendations, our government will help protect existing jobs, create new jobs and build a stronger province.

As we open the fall sitting of the 37th Parliament, we're reminded of the recent start of the school year. As parents we expect big things from our education system. We expect that when they graduate, our children will have the skills they need to succeed, not just in a job but in life.

Ontario's teachers are professionals, and we believe that, just like lawyers and dentists, they should continue to develop their professional skills. On June 29 the Stability and Excellence in Education Act became law, allowing us to phase in teacher testing. This legislation provides existing teachers with the opportunity to update their skills through ongoing skills enhancement, training and mandatory recertification.

Later this fall our government will introduce legislation to move forward with our teacher testing plan. If passed, our legislation would introduce a qualifying test for new teachers that would help them with the province's curriculum and ensure that their knowledge and their skills are sound before they start teaching. It would also create clear performance appraisal standards for all our teachers. Every parent knows that one great teacher can make a big difference in a child's life. That's why this government will encourage excellence in every teacher in the province.

## 1400

A strong economy will help ensure we have the resources needed to continue improving Ontario's education system. But it will take more than money. It will take excellent teachers, committed students and new approaches. We believe that parents can help us meet those goals. That's why we have promised to consult them on the future of our education system. Starting in November, we will send out our first-ever parent satisfaction survey. We are proud to be the first government in Ontario to reach out to every parent, every student, every teacher and taxpayer and ask, "What can we do to make our education system better?"

We also have a responsibility to protect our children, to keep them safe from abuse, including in our schools. Ontario has many excellent teachers who are devoted to their students and who hold themselves to the highest ethical standards. Unfortunately, there have been a few cases where teachers have abused their position of trust, and all parents agree that even one case is one too many.

In 1999 we asked the Honourable Sydney Robins to make recommendations to prevent sexual abuse in our schools. We have already addressed many of his recommendations. Later this week we will introduce legislation

to help protect students from sexual abuse by teachers. If passed, this legislation would help eliminate loopholes that allow these criminals to hide their actions and to escape punishment. It would establish tough new reporting requirements. It would streamline the steps teachers must take to report suspected abuse. Our children deserve to be safe. This government will do everything it can to protect them.

All of our citizens deserve to live in safety. This fall we will introduce legislation that, if passed, would help our police to do an even better job of protecting Ontario communities by cracking down on biker gangs and others who use fortified buildings for criminal purposes.

On September 11, the world watched in horror as tragedy unfolded in Pennsylvania, Washington and New York. In the wake of those events we will review ways to help the OPP fight terrorism more effectively and determine what additional resources may be required to keep Ontario safe. As a first step, I have directed an ongoing review of Ontario's emergency measures capacity. We will do everything we can to protect Ontario's citizens, and we will co-operate with other jurisdictions and countries to safeguard their citizens and the citizens of the world.

We want Ontario to be a province where all citizens are offered opportunities and can participate freely in society. We must build on what has already been done and continue taking steps toward our goal of making Ontario as barrier-free as possible. This fall we will introduce legislation that would continue to tear down the barriers faced by those with disabilities in our province.

Ensuring that our citizens continue to enjoy a high quality of life means tackling the complex and complicated issues of the day. We must do a better job of reducing gridlock in our cities and between our regions. We need to do more to ensure that highways and transit are meeting the needs of our rapidly growing communities. We need to do more to ensure that Ontario's tremendous economic potential is not compromised by clogged highways and crowded transit. That's why, this fall, we will move forward with initiatives to address these issues. Part of that will be achieved through our Smart Growth vision. We have completed consultations in 17 communities across Ontario and a full report is expected shortly.

Following the consultation process on the Oak Ridges moraine, we will introduce new legislation to help protect this important area this fall. If passed, this legislation would balance the need to protect certain sensitive areas while allowing responsible development in others.

Also this fall, we hope to pass the Nutrient Management Act, the next step in our clean water strategy. We're creating consistent, clear standards governing the way materials containing nutrients are applied on Ontario's farms. Many farmers are already meeting these expectations, but this legislation would ensure that all farmers follow high standards.

We're working hard to ensure our health care system stays strong and viable today and in the years to come.

It's an enormous challenge, one requiring the resources that a strong economy will provide, and one requiring adequate support as well from the federal government. Our strong economy has allowed us to invest record amounts in health care. We will spend close to \$24 billion this year alone. But at the moment, Ottawa contributes only 14 cents of every dollar that provincial and territorial governments spend on health care in this country. Ottawa must pay its fair share of health care costs.

That's the message that I took with me this summer when I met one on one with many Premiers before the annual Premiers' conference in Victoria. I'm proud to say that at the conference we unanimously called on the federal government to restore health care funding to where it was before Ottawa started its cuts. We were united in asking the federal government to fund at least the 18% share of health care that they funded before this Liberal government came to office in Ottawa. As well, we asked the federal government to have an appropriate escalator to deal with new costs so that Canadians can enjoy the benefits of new technologies, new research, new therapies and an improved quality of life so that each year in the future the federal government doesn't fall further and further and further behind.

This summer, we launched our own province-wide dialogue on health care. We're asking the general public and health care professionals to work with us to help identify the best ways to spend health care dollars and sustain our system over the long term. I encourage everyone to participate, because we want to hear from every doctor, from every nurse, from every caregiver and from every patient.

Two weeks ago, we took another step toward our commitment to create 20,000 new long-term-care beds in this province. Our \$1.2-billion investment is unprecedented, and it signals our commitment to ensuring Ontario's health care system is prepared to meet the needs of our aging population. In Windsor, in Waterloo, in Alliston, in Ajax, all across Ontario, we opened and broke ground for 1,500 new and redeveloped long-term-care beds. Through a strong economy, this government will open thousands more.

We remain committed to ensuring families can get the professional health advice they need, when they need it. In the next few months, our Telehealth service will be available 24 hours a day, seven days a week, all across the province. We will continue to encourage doctors and specialists to join family health networks, and this fall we'll also introduce privacy legislation designed to protect personal information, including health information. We're committed to developing privacy rules that ensure consumer and patient information remains private and remains confidential.

As I look back, I can see how much has been accomplished. Ontario has come a long way in a few short years. But as I look ahead, I can see there is still a long way to go. In today's competitive, constantly changing global economy, we cannot afford to be content with past

accomplishments, as great as those accomplishments are. So the hard work will continue this fall. We'll provide the strong leadership to continue moving forward with our 21-step action plan, a plan introduced in the throne speech last spring, which lays out our priorities for this session of Parliament. We'll address any new challenges that come our way. We'll be guided by our bold vision of a strong and prosperous province, where hard-working people can make their dreams and their children's dreams come true. We will continue striving to improve the lives of people in every corner of Ontario, striving to make our great province even stronger, more prosperous and more generous toward those who need our help, and striving to create a future that we will be proud to see our children inherit.

1410

**Mr Dalton McGuinty (Leader of the Opposition):**

These are challenging times, and we're going to have to meet those challenges head-on. Tragically, one of the greatest challenges became clear on September 11, and we're going to have to act to support our American friends and neighbours. But we must also act to secure the physical safety of Ontarians, and we are committed to working together on this particular crucial issue.

I propose an all-party committee of the Legislature to assess our security here at home, and I await the government's response.

We also face a new economic challenge. Our economy was already slowing before September 11, and now the uncertainty is even greater. Working families want to keep working. They are concerned about layoffs. Families who have worked hard to save for the future are seeing their savings slip away. This Legislature is going to have to do everything within its power to secure Ontario's economic future. I can tell you on this particular front, simplistic slogans will no longer cut it, not when the problems are this complicated.

We all want a secure border, but what, for example, might increased security mean to our auto sector and its reliance on just-in-time delivery? What will the impact be on our export-driven economy? No jurisdiction on the face of the earth is more export-dependent than we are here in Ontario. We need a comprehensive plan to secure our economic future.

It seems to me that the first steps are clear: we need an updated economic and fiscal statement that spells out where we stand. I've had the opportunity to meet with many representatives of business in recent days, weeks and months. They are telling me that the financial projections made at the beginning of this fiscal year are not at all in keeping with reality, so they are busy scrambling to revisit their proposals, their economic projections, and drafting new plans. It is time for us in Ontario at the level of our government to do the same kind of thing.

By the way, that new economic plan should feature bold new ideas instead of the same old ideology. While new challenges have come sharply into focus, other challenges simply have not gone away. If anything, their importance has grown.

We on this side of the House will continue to fight for quality health care. The value of top medical care, the preciousness of life itself, these things have never been more obvious.

We on this side of the House will continue to fight for improvements in public education. The importance of the public school classroom, especially given that that is where tolerance is taught and job skills are gained, has never been clearer. We will campaign for our plan as well for smaller class sizes, for turnaround teams to help our struggling schools and for choice, but choice within the public school system. I recommit my party to fighting with all our might this government's plan to take money out of public schools and invest that money in private schools.

We also remain firmly committed to fighting for clean air and safe drinking water. The terrible events of September 11 will not erase from our memory our own tragedy in Walkerton. In fact, these things steel our resolve to protect people from tragedy in all its forms.

Ontario families still seek security from physical danger, yes, from economic uncertainty, without a doubt, but they want security from illness and disease, they want it from environmental threats and they want it from a short-sighted approach to education that limits their children's future. Those are the kinds of things from which they seek protection, and they demand from this government that it provide some security to them.

I want to tell you we're back and we're on the job. Those things may have happened down south, and that is tragic, and we will do whatever we can to support this government in lending a hand to the people of the United States of America. But at the same time, we won't abdicate our responsibilities to Ontario's working families.

**Mr Howard Hampton (Kenora-Rainy River):** I'm intrigued by what the Premier had to say about Ontario's economy. Instead of sending out another task force, there are three or four things the Premier and his government could do today to deal with some of the issues in the economy. Number one is to raise the minimum wage, because in fact your government has frozen the minimum wage, frozen the wages of the lowest-paid people in the province, for seven years.

The second thing you could do would be to follow the advice of the Consumer Federation of America. I'll send you over a copy of their report. The Consumer Federation of America says very clearly that the privatization and deregulation of the electricity system makes no sense. It says very clearly that privatization and deregulation of the electricity system drives up the price of electricity, as it has in California, New York, Massachusetts, Montana and Pennsylvania. They point out that 22 states in the United States have now decided they are no longer interested in selling off their electricity system.

Premier, if you really wanted to do something about the economy, you would stop the stupid idea of selling off our electricity system, which everyone now knows is going to result in much higher prices for consumers,

much higher prices for Ontario industry, and is going to kill jobs in this province. You don't have to believe me. You can call Stelco, who wrote you a letter telling you that your price increases so far this year, as you ramp up to selling off the electricity system, have already cost them \$10 million. Or you can talk to Falconbridge, which is already making plans to move jobs out of this province because they will not be able to afford the price of electricity once you've moved to an American system, which charges 50%, 60% and in some cases 100% more for electricity.

Those are two things you could do right now to address some of the economic problems. Oh, by the way, there is Algoma. One of the lessons, I think, of the last few weeks is that government has a role in people's lives, that government has a job to do. Right now your government has a job to do in Sault Ste Marie, unless you consider the loss of 70,000 jobs in Ontario not to be an important issue.

I want to raise the issue of education. Just this week I was in a classroom where there were 29 grade 1 students, one teacher and no teacher's aide, no assistance for the teacher whatsoever. If you would check, that's far beyond what you say the law allows. We have 37,000 children in this province who need access to special education and chronically cannot get it under your government. We have classroom upon classroom without textbooks because the funding formula simply isn't adequate to provide for those textbooks.

Then there's the issue of teachers. While your government continues to attack teachers in Ontario, I simply want to point out to you that Ontario's teachers are being recruited in England, Ireland, Scotland, Australia, New Zealand and virtually everywhere across the United States. They're happy to have our teachers, the very teachers in Ontario you attack and attack again.

1420

Then there's the issue of the disabled. How many times has this government said that it is going to address the issues of the disabled? Yet we have seen nothing but failure. Meanwhile, I invite all members of the Conservative government to go out there and talk to someone who is trying to live on the Ontario disability support benefit, which your government has now frozen for so many years. The cost of electricity has gone up by 20%, thanks to your government. The cost of natural gas has gone up. The cost of food has gone up. Thanks to your government's killing of rent controls, rents just in this city alone have gone up by more than 20% in three years. Yet what does your government say? You freeze the benefit. The reality, Premier, of people who are disabled in this province is that because your government doesn't believe they're important, many of them cannot pay the rent and put food on the table. That's what is happening to disabled people around this province because of your government.

Finally, let me just say this: you talk about taking some steps in agriculture in terms of nutrient management. What it's all about is taking away the limited

power that municipalities have left and putting them all in the same situation as Walkerton. That's the reality of what you're doing.

**The Speaker (Hon Gary Carr):** Just before we begin question period, I'll remind all members, and for the benefit of the new member who I'm sure wants to know as well, the questions will be about one minute long. If we do that, every member gets more questions on. At about 50 seconds, the same as before, I will yell "Question" or "Answer," depending upon the circumstances, and they'll have about 10 seconds to wrap up. The table keeps track of the time, and if we do that I'd appreciate everybody's co-operation. Everybody can get on, and of course what we have to do is enforce it equally because there are some who tend to go over a little bit and it's not fair to one side or the other. Actually, there are some on both sides who tend to go over. So a quick reminder of our procedures, and if the members would adhere to that it would be much appreciated.

## ORAL QUESTIONS

### ONTARIO ECONOMY

**Mr Dalton McGuinty (Leader of the Opposition):** My questions today are for the Premier. We took a look at your budget, and it's based on the assumption that we're going to have growth in 2001 of 2.2%. It's perfectly clear now to all those who paid attention to these matters that the economy is not doing nearly as well as you projected. Economists are telling us that and businesses are telling us that. Working families who are experiencing the pain of job loss are telling us that as well. Then September 11 happened, and we are just beginning to experience the effects of that shock through our economy.

My point is that things have changed. I would suggest to you that things have changed substantially since you prepared your budget. Businesses are scrambling to review their economic growth projections and to revise and prepare new plans. My question to you, Premier, is this: in light of these dramatically changed circumstances, what specific measures will you take to help our weakening economy and protect our working families?

**Hon Michael D. Harris (Premier):** I think the Minister of Finance can respond.

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** I thank the Leader of the Opposition for the question. Very difficult decisions were made in 1995-96 and subsequently led by Premier Harris and his team to put the Ontario economy on a solid footing. Those were difficult decisions, tough decisions, but the result of those difficult decisions taken over the course of six years is that we have a solid foundation in Ontario to resist an economic slowdown.

We also anticipated, of course, as part of prudent fiscal planning, that there would be some slowdown in

the Ontario economy this year. Indeed, there is a slow-down in the global economy. Those things were taken into consideration as part of responsible choices, prudent fiscal planning in drafting the budget of the province of Ontario this year. We are on track in the budget of Ontario for the year 2001.

**Mr McGuinty:** Let me tell you, Minister, about some of the impact of your budget being on track to this point in time. This summer we lost a net 17,000 jobs in Ontario. In Owen Sound, AFL closed its plant, putting 200 people out of work. In my community of Ottawa, we've lost 7,000 jobs. In Sudbury they've lost 400 jobs. In Windsor this August, they saw more than 3,600 auto workers forced on to temporary layoff.

I'm telling you, Minister, business is revising its economic projections and preparing new plans, not only in light of the way the economy was slowing down prior to September 11, but of course because of what happened on September 11.

I put forward a couple of suggestions here in this House to you yesterday. I'll put those to you again and I'd like you to respond to them.

I think we should have an economic and fiscal update and I think we should host an economic summit and call upon business and labour leaders so that we can get an assessment from them as to their expectations and their very best advice in terms of how we should work together and address these matters. What do you think about those two specific, positive proposals?

**Hon Mr Flaherty:** There is no question that the tragedies of September 11 are cause for concern in terms of the economic impact. Indeed, we are monitoring the preliminary data very closely in that regard. That is uncharted territory, as I'm sure the Leader of the Opposition would recognize, and, yes, there are some significant short-term economic impacts to the province of Ontario.

As I indicated to the member, we have planned for some economic slowdown in Ontario this year. Assuming the impacts of September 11 are relatively short-lived, and there's reason to anticipate that they ought to be, then as I indicated to him, we are on track. But we must be prudent. We must be strict in our monitoring of the economic impacts.

In terms of stimuli, I regret again that the Leader of the Opposition disagrees with the federal Liberal Minister of Finance, who has made it clear that the tax cuts that Ontario started in 1995, leading the nation, finally joined by the federal government last year in October, are the key stimuli to the Canadian and the Ontario economies.

**Mr McGuinty:** Minister, one of the things that you said in your budget document was that your budget was based on the assumption that the economy is expected to gain strength later this year. You said that you expected stronger household spending and you expected specifically stronger US growth to boost demand for Ontario's exports. In fact, we are witnessing the opposite, the beginning of a slowdown in the retail sector. Tourism has been hit hard. Everyone knows what's been happening

when it comes to our airlines. We know what's starting to happen now with respect to our auto sector.

Do you not think that it would be wise and prudent and responsible in the circumstances here, these new developments which are significant, do you not think it would be appropriate, sooner rather than later, that you table in this House a new economic and fiscal update?

**Hon Mr Flaherty:** This from a Liberal opposition with their Liberal cousins in Ottawa, where there has not been a full budget in 18 months. If they wait till next spring, it will have been two years since there has been a federal budget. Every municipality in the province of Ontario has a budget every year.

*Interjections.*

**The Speaker (Hon Gary Carr):** The Minister of Finance take his seat. Order. I can't hear. Sorry, Minister of Finance.

**Hon Mr Flaherty:** In terms of prudent fiscal management, from 1985 to 1990, the Liberals raised sales taxes in Ontario from 7% to 8%. They raised the fuel tax twice. They had record revenues but they increased the deficit year after year. They increased the public debt year after year. They spent at twice the rate of inflation. That's what Liberals consider to be prudent fiscal management. That's what they left for the NDP in 1990. We don't need any lectures from the Liberals about how to manage an economy.

1430

#### IPPERWASH PROVINCIAL PARK

**Mr Dalton McGuinty (Leader of the Opposition):**

This question is for the Premier, on the very serious matter of Ipperwash, a matter where, for the first time in over 100 years, a member of the First Nations was killed in a land claims dispute.

For six years now, you have claimed that you left this matter entirely in the hands of the OPP. For six years, you have ignored calls for a public inquiry into this tragedy. But I suggest to you, Premier, that the truth will not be silenced. Today in the Legislature are Sam and Reg George, Dudley George's brothers. They're here to seek one thing and one thing alone: they only want the truth. There's only one person in Ontario today, Premier, who can institute a process to get at the truth: that is you. Will you now agree to hold a public inquiry into the Ipperwash matter?

**Hon Michael D. Harris (Premier):** In your preamble, you allude to the fact that I have ignored the call for a public inquiry, and that is certainly not true. I have heard the call for a public inquiry; I have indicated very clearly that the time for that consideration is when all matters dealing with this before the courts have been dealt with. As you know, there is a matter that is still currently before the courts which does ask the very questions that seem to be the same questions that you and the George family and others have asked to be asked. That process is underway and we have been very co-operative with that process.

**Mr McGuinty:** Premier, nobody believes that you have been co-operative when it comes to getting to the bottom of what happened at Ipperwash. That simply stretches credibility.

I want to read to you from one of the documents submitted in the civil court case. It's the minute which quotes Deb Hutton, one of your closest advisers. She says, "Premier feels the longer they occupy it, the more support they'll get. He wants them out in a day or two." Another quotes one of your staff saying the following: "Premier's office doesn't want to be seen working with Indians at all." Another note states, "Deb, has MNR asked OPP to remove them? They could be formally requested to do so, but how and when they do it is up to the Premier."

Premier, how can you continue to maintain that you did not in any way influence police action in the Ipperwash matter?

**Hon Mr Harris:** I know you enjoy quoting little dribs and drabs from documents that are a matter of the court case. The heart of the court case as I understand it is, was there any direction given to the OPP? The same court case has documents very clearly and the evidence is there—including the former commissioner, the incident commander at Ipperwash—that there was no interference into the police action. These are sworn affidavits that are also a part of this court case.

**Mr McGuinty:** Well, Premier, if that is the case, then I'm sure you would have no objections whatsoever to holding a full public inquiry in order to get to the bottom of this. After all, there are a number of cases before the courts arising from Walkerton, so I don't understand how you can draw a distinction between that particular public inquiry and the one that the George family has been pressing you for for six years.

Here's another quote: "AG instructed by Premier that he desires removal within 24 hours. Instruction to seek injunction." Another quotes Deb Hutton as saying, "Premier will be pleased to take the lead." Another quote: "Premier is hawkish on this issue. Feels that we are being tested."

Premier, with the greatest respect, you are less than objective when it comes to deciding what is important to do on this matter. So we are offering you the best possible advice that we can, advice that is in keeping with the legitimate wishes of the George family. You know what that is, Premier? Hold a public inquiry so we can, once and for all, do justice to Dudley George, do justice to his family, and do justice to the people of Ontario.

**Hon Mr Harris:** The whole matter of the inquiry is one we say we'll consider at the appropriate time, and we of course will do that. But what you are quoting from are not affidavits, they are court documents. What I am quoting from are sworn affidavits. It's clear from the evidence of those affidavits that there was no input from me, Ministers Runciman, Harnick or Hodgson, or any other member of the government in the command decisions of the OPP at Ipperwash. The OPP was never directed by

any government official to remove the occupiers from the park by force. The OPP had no communication with anyone from the government prior to the death of Dudley George. Ron Fox and Scott Patrick were seconded to the Ministry of the Solicitor General as bureaucrats and had no role in any way in directing command decisions at Ipperwash. Those are actually sworn affidavits.

**The Speaker (Hon Gary Carr):** New question. The leader of the third party.

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier and it concerns the accountability that a Premier must show the citizens of Ontario.

Premier, you said in this Legislature, "I gave no direction to the police on how to deal with the occupation at Ipperwash Park," yet documents you were forced to disclose in court show that you will "take the lead"; you wanted the protesters out of the park and you were hawkish on the point; your MNR minister wanted no negotiations; and you rejected legal and police advice on how to deal peacefully with the occupation. How do you square your words, "I gave no direction," with the documents that now show otherwise?

**Hon Mr Harris:** Those are not affidavits you are quoting from, they are court documents. There are also affidavits before the judge. Indeed, you are confirming to me that these are exactly the documents and the information that will be decided by the judge, and this court case will resolve that question for you.

**Mr Hampton:** The fact of the matter in the court case is that you've tried over and over again through manoeuvres in court to either have the civil case stopped or to have the civil case limited such that many of the questions that need to be answered you would not be forced to respond to, or to limit the documents that you are forced to disclose.

If we go back over the last five years, first you said that you did not meet with OPP officers about the Ipperwash occupation. Documents show you did. Then you claimed to have met them at a cabinet committee meeting, but the records of the cabinet committee meeting show you weren't there. In fact, you met with them afterwards at a meeting where no records were kept, or at least so far you haven't disclosed whatever record was kept.

Premier, the question is this: how can people across Ontario believe you today when over the last six years you have been forced to change your story as the evidence has emerged?

**Hon Mr Harris:** The evidence before the court deals to the matter, and the evidence that people seem to be seeking answers to is my statement that from the beginning neither I nor our ministers nor our government interfered in the way police responded to the Ipperwash situation. I stand by that. This is a matter before the court case. This is exactly as supported by the statements that are actually sworn affidavits that are before the court case. Since these affidavits are there and the little snippets of documents that you quote from are there, surely you would not object, then, to an impartial judge

adjudicating this. I certainly have absolutely no hesitation in appearing, giving my testimony and letting the judge decide, because all the evidence supports everything that I have said.

**Mr Hampton:** Premier, maybe you can explain to the people of Ontario why your government has brought motion after motion to in effect have the civil case shut down; why your government has brought motion after motion to have documents sealed and not made available to the public; why your government has brought motion after motion to avoid having to answer a number of the questions. Maybe you can explain to the people of the province how it is that after an innocent, unarmed man was killed, your government doesn't want to inquire into what happened. What is it that stops you from having a full inquiry and answering the question: how and why was an innocent, unarmed man killed? Why is that, Premier?

**Hon Mr Harris:** The very question you seek answers to is a matter before the court case. The sworn affidavits are there. I don't know whether you are challenging the validity of the OPP sworn affidavits or not. It seems to me that perhaps you are. The evidence as I see it is very clear and I stand by that. The court will decide.

1440

#### COMPETITIVE ELECTRICITY MARKET

**Mr Howard Hampton (Kenora-Rainy River):** Another question for the Premier: Premier, today you had a lot of rhetoric about the economy but there is something very important you could do about the economy. Earlier this summer a document was released by the Consumer Federation of America. It's called *Electricity Deregulation and Consumers: Lessons from a Hot Spring and a Cool Summer*. You might call it *Lessons from the USA*. They look at electricity deregulation in California; they say it was a failure. They look at New York; it was a failure. Massachusetts: a failure. Pennsylvania: a failure. In each case, prices were substantially higher and the stability of supply went down.

Premier, we acknowledge that Ontario's economy is now in difficult straits. Why under those circumstances would you press ahead with the sell-off and deregulation of our electricity system when all of the evidence from the United States suggests it's only going to force prices higher and kill jobs?

**Hon Michael D. Harris (Premier):** Clearly, I think it's important that we do learn from other jurisdictions. There are jurisdictions where prices have gone down or are lower as a result of the market forces and the market competition. So we made it very clear the conditions for opening the market in Ontario and the conditions that we laid out. We made it very clear that the market would not open unless we could meet those conditions, like ample supply that you referenced, as appropriate competition to ensure that we're getting the competitive forces.

If you look, for example, at long-distance rates, once competition was brought in, long-distance rates have

plunged dramatically. And so we are looking at other jurisdictions, mistakes that have been made, situations there. We want to ensure that we have absolutely a functioning market that will provide the best deal we possibly can for Ontarians.

**Mr Hampton:** Premier, I'm going to send a copy of this report over to you. You ought to look at it, because the report refutes just about everything you've said. Your Minister of Energy used to talk about California and how deregulation and privatization of electricity in California was a wonderful thing. It's been a disaster: California, after losing billions of dollars, is now buying back their electricity system; in the United Kingdom, the report shows that consumers are now paying 25% more under a deregulated system; in Pennsylvania, since the price caps came off, prices have increased significantly; Alberta.

Please point to a jurisdiction in North America, in Canada, where electricity deregulation has resulted in lower prices and a more stable supply of electricity. There isn't one. Twenty-two states in the United States are now abandoning any plan they had to privatize and deregulate electricity.

Premier, you said that you wouldn't do it if the conditions weren't right. Take a lesson from those who've tried it in the United States. Stop the sell-off and deregulation of Ontario's electricity system now. Save jobs. Save consumers' money. Will you do that?

**Hon Mr Harris:** As always, I appreciate the advice of the member. I will take it all under advisement and into consideration.

We do look at other jurisdictions and examples from there. If I followed every piece of advice you have, our taxes would be dramatically higher, we'd have double-digit unemployment, we'd have over 1.3 million still on welfare, and the economy in Ontario would be a disaster. So you would understand why I don't take every piece of advice from the leader of the New Democratic Party or every policy that you've initiated.

I fully admit you inherited a disastrous mess from the Liberals. It should have taken you about five years to correct the damage of the five years, but in fact you contributed to it rather than helping. But I appreciate very much your advice. Every once in a while, you know, you come up with a good idea, and when you do, we adopt it.

#### IPPERWASH PROVINCIAL PARK

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Premier, and it is on Ipperwash. On September 6, the key meeting was held on Ipperwash. We are aware there were at least six people at that meeting, perhaps more. You were there; Minister Hodgson; two OPP officers, Fox and Patrick; two deputy ministers, Todres and Taman.

The only note that we've been able to secure is from Deputy Minister Taman, and it says this: "The Attorney General was instructed by the Premier that he desires removal within 24 hours."

Was that what you told the meeting, Premier?

**Hon Michael D. Harris (Premier):** The Attorney General can respond.

**Hon David Young (Attorney General, minister responsible for native affairs):** As the member opposite is undoubtedly aware, there is a fair and impartial court process underway.

*Interjections.*

**The Speaker (Hon Gary Carr):** Member, take your seat. The member for Hamilton East, come to order.

**Hon Mr Young:** As I was saying, as the member opposite is undoubtedly aware, there is a fair and impartial court process underway. Our system of justice demands that we in this chamber respect that process. Respecting the process means that we don't try to adjudicate the case in this assembly.

I heard my friend a moment ago say he has only one document and can he get other ones. Frankly, all the relevant documents are in front of the court. The government has co-operated fully from day one and will continue to co-operate. We have confidence in the judiciary of this province and we have confidence in the court system. If the member opposite does not have confidence in the courts of this province, which are the envy of the world, I might add, he should stand up and he should say so.

**Mr Phillips:** I have confidence in the truth, and the only way we will get the truth is through an inquiry.

I go back to the Premier: this was the key meeting. You were at it, along with Minister Hodgson. Two senior deputy ministers were there and two senior OPP officers. I will say to you, Premier, that if in fact you said that at that meeting—and I'll quote again, "The Attorney General was instructed by the Premier that he desires removal within 24 hours."

Again, Premier, I want you to answer this question: is that what you told that meeting, that you desired removal of the First Nations within 24 hours? The people of Ontario deserve an answer to that question.

**Hon Mr Young:** It's interesting to hear the member opposite go on and on. I guess he believes he is judge and jury. What he is saying quite clearly is that he does not have confidence in the Ontario Provincial Police force.

*Interjections.*

**The Speaker:** Order. Attorney General, take a seat. Attorney General.

**Hon Mr Young:** What he is saying is that he does not have confidence in the Ontario Provincial Police force. Then he goes further and he says that he has no confidence that the courts of this province can resolve a complicated dispute. In fact, last night on Michael Coren, the member for Scarborough-Agincourt said that the Premier should "call a public inquiry headed by a respected individual and let the truth speak."

Is he saying that a Superior Court judge—

*Interjections.*

**The Speaker:** You didn't lose any time on that.

**Hon Mr Young:** Is he saying that a senior Superior Court judge does not have the ability to resolve this matter? Is he saying that that individual is not able to allow the truth to speak—his words? If that's what he's

saying, he should stand in his place and make it very clear, once and for all.

## EMERGENCY MEASURES

**Mr Garfield Dunlop (Simcoe North):** My question today is for the Solicitor General. The events of September 11, 2001, shocked people all over the world, but particularly here in the province of Ontario. We were all horrified by the pictures and stories of those people directly affected by this tragedy.

Many people aren't aware that while most of us watch events like this in disbelief, it is the job of some to assemble and deal with tragedies like this. Even though a provincial emergency was never declared, would you share with this House some of the things that Emergency Measures Ontario did on that day?

**Hon David Turnbull (Solicitor General):** There is nothing more important to this government than the safety and security of our population. Ontario is prepared to respond to acts of terrorism. At 8:50 am on September 11, EMO began to monitor events. At 11:08, EMO fully activated the provincial operations committee for 24-hour status. All provincial ministries were put on alert and donation lines were implemented. Web sites were continually updated regarding border safety and crossing delays. Dr Jim Young, Ontario's chief coroner, went to New York City to assist Canadian families and link with local officials. The Premier announced \$3 million to aid Ontario victims and families. After the tragic events in the US, all jurisdictions will be reviewing emergency measures.

1450

**Mr Dunlop:** The Premier was very strong in his commitment yesterday about the safety of the people of Ontario. Would you outline some of the initiatives the government will be undertaking over the next while to ensure Ontario and Ontarians are kept safe.

**Hon Mr Turnbull:** Since September 11 we've had a clear review starting of all emergency measures in Ontario. The Premier announced steps to ensure the safety and security of Ontario families, an ongoing review of Ontario's emergency measures. He also asked the OPP commissioner to review ways the OPP could fight terrorism. We'll consult with the OPP and indeed all police forces in Ontario on what additional resources may be required to keep Ontario safe. We'll review ways that federal, provincial and municipal governments, and indeed other agencies, can better share intelligence information. We look forward to strengthening any provincial legislation that could be used to prevent terrorist acts, including possible changes to the Remedies for Organized Crime and Other Unlawful Activities Act to cut terrorists off financially.

**The Speaker (Hon Gary Carr):** New question.

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Premier. A survey recently conducted by Emergency Measures Ontario revealed that many of Ontario's municipalities are not ready for an

emergency. Specifically, the survey revealed that although many of our municipalities have plans, 72% have not reviewed their plans within the last year, and 62% do not have a training program for staff that manage emergencies. On top of that, it turns out that we are one of only two provinces in Canada which do not have a law on the books requiring that all municipalities have in place an emergency plan as well as a requirement that they practise that plan.

I have two suggestions on this score. First of all, I believe you should meet immediately with our mayors to determine how we can work together to ensure that we're prepared to meet any emergency. Second, we should pass a law in this House requiring that all municipalities have an emergency preparedness plan. Premier, what do you think of those two specific, positive proposals?

**Hon Michael D. Harris (Premier):** That's exactly what we're doing: reviewing EMO, reviewing the practices and consulting with municipalities, as I indicated yesterday. I appreciate confirmation that we're on the right track there. As part of that review, we certainly will look at whether it is necessary to make it mandatory for all municipalities or whether we can achieve that compliance in other ways. Either way, the goal is the same, and I appreciate the constructive suggestions.

**Mr McGuinty:** On another matter related to this, a vital component of being able to respond to an emergency is being able to treat the injured quickly, but our hospitals don't have the necessary room and flexibility, don't have the necessary buffer space, to deal with an influx of casualties. For example, hospitals here in Toronto have a 97% occupancy rate. We can barely cope with an outbreak of the flu, let alone imagine what we'd have to contend with if there was a major disaster of some kind.

A year ago, I put forward a plan to ease the pressure in our hospitals. My plan called for a moratorium on ER closures and the reopening of 1,600 acute care beds. This plan would help to reduce occupancy rates and would help to ensure that our hospitals have the flexibility to deal with a sudden influx. Premier, will you implement this plan today?

**Hon Mr Harris:** I think you are aware we've implemented a number of measures to address the pressures on hospitals' emergency departments and funding other initiatives. I think you are well aware that last year's flu season was dramatically different than the previous two years. Most people are indicating it's working very well.

I don't know how you were able to get a ruling, or a non-ruling, that your question wasn't in fact a supplementary; it's a different issue. I guess your tie-in was by way of emergency services. But let me say this: our hospitals were in fact able to put in place an emergency services plan to assist those in the United States just as if the emergency had taken place here. That plan worked very well. It was effective. The hospitals were co-operative, and they were able to respond.

## ATTACK ON THE UNITED STATES

**Mr Norm Miller (Parry Sound-Muskoka):** My question today is for the Minister of Northern Development and Mines. I am proud knowing the constituents of my riding, Parry Sound-Muskoka, have been actively engaged in supporting the victims of the September 11 terrorist attacks.

Of special note, the staff and students of Parry Sound High School erected a memorial to the victims of the attack.

I have also heard from the constituents of my riding that they applaud the efforts of our Premier, who led this House in a resolution and debate in support of our American neighbours yesterday.

Minister, could you tell us what you have seen and heard about northerners and their reaction to this terrible tragedy?

**Hon Dan Newman (Minister of Northern Development and Mines):** I thank my colleague, who I know does an outstanding job of representing his constituents of Parry Sound-Muskoka, for the question.

It is clear that we have all been affected by the events and the chilling aftermath of the September 11 terrorist attacks. Families across the province, indeed in the north, were also directly impacted by the loss of life in this horrific event. However, even during times of remembrance, the constant values of caring and compassion are evident every day in the north. Northerners have been pulling together to provide their support to our American neighbours in any way they can.

I am proud of our province's long history of tolerance and diversity. Ours is a land rich in cultural, linguistic, religious and ethnic diversity—an attribute to be celebrated by all of us. For those who defy that history through acts or thoughts of intolerance or hatred, I strongly condemn them. Hatred should find no home in the north, or in any other community throughout our province.

**Mr Miller:** Along with the Premier and all of my colleagues, I strongly condemn any thoughts and acts contrary to our province's tradition of tolerance. Hate crimes will not be tolerated in our province.

As the member for Parry Sound-Muskoka, the support for the victims of this tragedy—whether they be the families directly impacted, neighbours of those still missing or victims of intolerance and hate crimes—is evident in every page of the signing book at my constituency office. Successful blood drives have occurred throughout my riding, and the constituents of Parry Sound-Muskoka have offered their prayers and thoughts for the people of New York and Washington.

Minister, could you give us other examples of how people across the north have offered support for our American neighbours?

**Hon Mr Newman:** The everyday lives of northerners have been changed forever by the events in the United States on September 11, but what has not changed in the north is the sense of northern spirit and the sense of

community. That spirit remains unshaken. Displays of support were evident in town halls and company boardrooms alike. I'd just like to give you some examples.

It's my understanding that Inco Ltd will donate \$100,000 to the Canadian Red Cross; as well, they will be donating respirators and other emergency supplies and aid to the rescue and relief efforts. I applaud the efforts of Inco Ltd and the other companies that have acted through good acts of corporate citizenship.

In Sault Ste Marie, the entire community responded to host 118 passengers from diverted Air Canada flights. Similar stories have been repeated throughout communities in the north. I know that northerners will continue with that sense of community in the coming days and weeks ahead as we all pull together and provide support.

### RENT REGULATION

**Mr Rosario Marchese (Trinity-Spadina):** My question is to the Premier. Since August, in Toronto alone 55,000 tenant households have been hit with new landlord applications to raise their rents above the guideline increases. Tenants have been telling me it's not fair to pay rent increases that are almost double the rate of inflation.

Michael Prue, Howard Hampton and I have joined the city of Toronto in calling for rent rollbacks, which would save the average Toronto tenant \$1,000.

Premier, I know you may be happy, and dare I say many Liberals might be happy, to line the pockets of landlords, but I tell you, there are many tenants—dare I say over three million tenants—who need a break and are looking for your help. Isn't it time for a rent rollback?

**Hon Michael D. Harris (Premier):** I know the Minister of Municipal Affairs and Housing wants to respond, but perhaps I will take the first question and pose this question: during the five years the NDP were in power, the guideline for rent increases went up 4.6%, 5.46%, 4.9% and 3.2%, every one of those higher than the next five years that we took office of 2.9%, 2.8%, 2.8%, 3%, 3% and 2.6%. Clearly, the rent increase guidelines have been far less under our government than they were under your government. I just wonder how you have the audacity to stand up and invite that comparison.

1500

**Mr Marchese:** Premier, we talk to tenants and you talk to landlords. That's the difference. That's where you get your numbers and this is where we get ours.

Tenants support rent control. They don't support the Tenant Protection Act that doesn't protect them but protects landlords. When I canvassed in the Beaches, one particular individual told me, "I earn good money: \$13 an hour." Poor guy, he says he earns good money. He earns about \$20,006 a year. He says, "If these rent increases continue, I can't stay in my apartment." These are the kinds of people I talk to. Most of these people will not be able to live in their apartments if these rent increases continue.

That's why the city of Toronto, which includes many Liberals and Tories—30 out of the 38 that were there to vote said, "We support rent rollbacks." New Democrats support rent rollbacks because they support tenants. There are over 3.3 million tenants. They need your help. They need government to step in to support them. It's time to stop supporting the landlords that both you and these fine Liberals beside me support. Tenants need your help. Will you support that rent rollback?

**Hon Mr Harris:** A 4.6% increase, 4.6% increase, 5.4% increase, 6% increase, 4.9% increase—I can only assume that the tenants you're talking to, had you stayed in power, would have been long gone two or three years ago.

Thank God we came into power and the rent increases were much lower than they were when you were in power. Thank goodness as well that the economy improved, and the growth. Thank God they got tax refunds. Thank God they were able to keep more of their money. Thank goodness we were able to keep property taxes in the city of Toronto lower than they've been in the last five years.

Is it perfect? No. Do we need to do more? Of course. But we certainly don't need a lecture or any example from your five years in power.

### ELECTION IN VAUGHAN-KING-AURORA

**Mr Gregory S. Sorbara (Vaughan-King-Aurora):** You're going to have to bear with me a little bit. I'm a little rusty at this, although I see not much has changed.

My question is for the Premier. I noticed that the Premier referred in his mini throne speech earlier this afternoon to a dialogue in education and a dialogue in health care; one has been going on and one is coming up. I want to ask him about what is the most important dialogue in a democracy, and that is an election.

In the election in Vaughan-King-Aurora the dialogue was clear and unequivocal, and that is that the Conservative agenda is dead. What the Harris government has done in education is harmful to our children. What the Harris government has done in health is harmful to our own health. What they have done on environmental protection puts our water and our air at risk.

I want to ask the Premier whether the voice of 62% of the population of a riding sends a clear message. I want to ask him whether he heard any of that and whether his views on how to govern in this province have changed one iota from what we heard in this province as a result of the vote in Vaughan-King-Aurora not three months ago.

**Hon Michael D. Harris (Premier):** Let me first of all congratulate the member on his election in that by-election. I hope, on behalf of the people of Vaughan-King-Aurora, and I'm sure, that the member will represent the people, or at least attempt to, as well as the former member did.

We always take the views of all citizens of Ontario very seriously. I take the views of the residents of Vaughan-King-Aurora seriously. I make great efforts to consult with them directly. Now that you are their legislative voice in this Legislature, I hope your party will give you many opportunities to express those viewpoints, both in the debates and in questioning here in the Legislature. I look forward to that and I look forward to the member's input reflecting those views.

**Mr Sorbara:** I'm sure as a result of the Premier's plea my leader and my party will give me far more opportunity than they would have otherwise.

I want to say to the Premier that he says he listened very carefully to the results. On election night the Premier said that, notwithstanding the vote, nothing is going to change. I want to tell you what the people in my riding said during that election: over the course of the past six years of economic growth, I say to the Premier, we have seen the single most serious deterioration in public services in the history of this province since the Second World War. We have seen the most deterioration in the quality of health care, education and environmental protection that we've ever seen. I say to the Premier as well—

*Interjections.*

**Mr Sorbara:** Boy, it's just the same, isn't it?

I say to the Premier that the failure of this government to actually invest not only in Vaughan-King-Aurora but throughout York region in terms of building new public services has left us choking on our own traffic, has created congestion we have never seen. The Premier ought to make a commitment today to reverse some of those policies and start investing in the people of Vaughan-King-Aurora, York region and the province.

**Hon Mr Harris:** I think there was an intervention from the Minister of Labour that indicated you ought to put things into perspective. You won a by-election. We acknowledge that. We congratulate you on that. I wouldn't be so presumptuous, though, as to suggest that in this dramatic return to the Legislature, you have any better answers as an individual than the disastrous record when you were in office as a Liberal MPP.

If ever the people of York region had to choke on tax increases, had to choke on a declining economy, had to choke on going into the depths of a recession, it was under your administration. I encourage you to actually go back out and knock on a few more doors than the 29% who voted in the by-election and hear from them whether they liked the tax rates under your government or whether they like the tax rates they're paying under our government, whether they liked the double-digit unemployment under you and the NDP or they like the employment opportunities they have now—I would invite you—whether they like the new schools, the new growth, the new investment.

## BORDER SECURITY

**Mr John O'Toole (Durham):** My question is for the Minister of Economic Development and Trade. The events of the past two weeks—

**Interjection:** Sorbara just walked out of the Legislature.

**The Speaker (Hon Gary Carr):** Order. I have to keep going. It's your own member doing it.

**Mr O'Toole:** Mr Speaker, on a point of order: Am I to lose my time because the member from Vaughan-King-Aurora walked out—

**The Speaker:** Don't start with that. The other side is going to start. You know I do not like smart-aleck comments like that. What we're going to end up doing now is having them coming back and forth. Don't start with the points of order during question period. Your time started. Because your own members were yelling, your time's going. I'll give you a little bit of leeway. Ask your question, please. From now on, both sides, no points of order during question period.

1510

*Interjection.*

**The Speaker:** Deputy Premier, I can and I will. The member for Oshawa.

**Mr O'Toole:** That would be Durham. Thank you, Mr Speaker. My question is to the Minister of Economic Development and Trade. Minister, the events of the past two weeks have forever changed our daily lives, not just in Ontario but indeed around the world. Our closest international friend, the United States, was the victim of a senseless, ruthless and criminal attack that has sent all of us into a state of shock, anger and disbelief. As a result of these vicious attacks, we have seen tighter border security than ever before. There is no doubt that there is a need for increased security, while at the same time we have also seen the resulting delays causing problems for some of Ontario's businesses. In my riding of Durham, for instance, truckers, auto workers and agricultural people operate in a just-in-time environment.

Could you update the House on the important—

**The Speaker:** The member's time is up.

**Hon Robert W. Runciman (Minister of Economic Development and Trade):** I thank the member for Durham for the question. In Ontario, the export of goods and services tops \$200 billion annually. Fully 93% of these exports are destined for the United States. That translates into approximately 1.5 million Ontario jobs that depend directly on trade with the United States.

The increased security precautions at the border after the September 11 terrorist attacks had an immediate effect on trade. At some border points, there were 20-kilometre lineups of trucks waiting to cross. Just-in-time delivery meant some businesses in Ontario didn't receive parts and had to cancel shifts, and temporary idle plants. Manufacturing, agriculture and many other sectors suffered financial loss. The impact was significant and drove home just how very important the US economy is to Ontario.

**The Speaker:** New question, the member for Windsor West.

**Mrs Sandra Papatello (Windsor West):** My question is for the Premier of the province. Premier, I'd like to ask you questions about home health care.

**The Speaker:** I apologize; sorry. There was a supplementary. I apologize to the member; I lost track. The member for Durham, sorry.

**Mr O'Toole:** Thank you, Minister, for that very thorough answer, and I'd like to thank you for your strong leadership beside our Premier.

One has to wonder what the future holds for decisions that were made before September 11. This is not a situation that any of us has ever dealt with in the past. Things are certainly not ordinary times.

Please share with the House what will happen at our borders. How do we see our future business relationships with our important trading partner, the United States?

**Hon Mr Runciman:** There is no indication that trading relations will be jeopardized over the long term, but to ensure this remains true, we must clearly raise comfort levels and confidence levels that the border is secure.

I have expressed my own view to federal authorities that Canada must be willing to consider new ways to address increasingly critical delays. Hundreds of thousands of jobs in Ontario depend on continued ease of access at the border. We accept with understanding and compassion the desire of the United States to make it tougher to enter their country. We recognize it is a difficult job, a delicate balance, reducing barriers to trade while erecting barriers to keep terrorists at bay, but it's a job that must be done.

#### HOME CARE

**Mrs Sandra Papatello (Windsor West):** My question is for the Premier of Ontario. I'd like to ask the Premier questions about health care, about home care specifically. Last June, when we were in this House, I was asking you questions about community care access centres. You took that opportunity to insult most of our seniors across the province, and you also offended most of the volunteer boards of directors of the community care access centres right across this province and suggested that they just didn't know how to run their business. We've been able to go home to our constituencies for the balance of the summer and meet people and talk to people who are affected by the cuts that you've made in home care.

I'd like to know if you've changed your mind, if you're going to decide now to bump up the funding that is going to home care. I'd like to ask you specifically if your Minister of Health has told you that by the rollback in home care, you're actually costing the system more.

Premier, will you admit today that you understand that by cutting back in home care you're costing the system of health more, because a hospital bed where the patients are required to stay costs more money than providing for—

**The Speaker (Hon Gary Carr):** The member's time is up.

**Hon Michael D. Harris (Premier):** I think the member is well aware that home care funding has been substantially increased by this government all across the province, in total by some 72%, including in Essex county, where funding is up some 25% or 30%, well in excess of the rate of inflation, since we took office.

I know the Liberals are quick to point out we should spend more, spend more, spend more, spend more, and I understand that. In spite of the fact that we have spent far more in home care than the Liberals did or the NDP did, the solution for you always is, "Spend more money."

We have, as you know, undertaken a review of the community care access centres. We are trying to work in partnership with them on behalf of our seniors, whom we both desire to serve to the best of our ability. We are looking at best practices. As you know, some CCACs—

**The Speaker:** Order. The Premier's time is up.

**Mrs Papatello:** I find it ironic that he wants to talk about spending or not spending, when he's constantly on the feds for more money. I guess it's not about more spending. In fact, home care is about saving money. You realize that when you spend money in home care, you are moving patients out of the hospital and you're getting them home, where they often want to be, and it saves the system money. You're spending less money today in home care than you did last year, but the difference is that our hospitals are not coping with patients like they did even as late as last year.

Premier, are you going to understand what some of your own caucus members are telling you now, that your home care spending has to change? Let's talk to the member from Lambton. What does he say to you about home care? Let's talk to the members from Waterloo. What are they saying to you about home care? I ask you, Premier, today, will you rescind what decisions you've made in home care and take care of our frail and elderly people? Will you do that today, Premier?

**Hon Mr Harris:** The member from Lambton and the member from Waterloo say to me, "Gee, the Liberals spent \$305 million on home care and we're now spending \$1.1 billion." They also point out to me that the Liberals spent \$647 million on drugs, primarily to the benefit of seniors; we're spending \$1.8 billion on drugs. They say to me that in spite of these massive increases, the demand is still growing and there is a need for more and more services. They do say to me, "Thank goodness it isn't like the Liberals, when they were in power here," and then they point to the Liberals in Ottawa who, while we have increased funding so dramatically, up to \$1.1 billion from \$305 million when you were in office, and \$1.8 billion for drugs, compared to \$600 million when you were in office—in spite of that, the Liberals in Ottawa, who promised pharmacare, have spent not one cent for seniors, for home care, for pharmacare here in the province of Ontario. So we do the best we can without a cent from the Liberals, and we're spending far more than you ever did.

## IMMIGRANT AND REFUGEE SERVICES

**Mrs Margaret Marland (Mississauga South):** My question is for the Minister of Citizenship, who has the added responsibility for immigration. In recent years, the criminal justice system has been vigilant in trying to eliminate domestic violence within all sectors of our population. My concern is for the welfare of people coming to this country to make a new life and the victimization of some of those families and their children. How is this government dealing with such cases involving newcomers who are unable to converse in French or English?

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** I'd like to thank my honourable colleague for the question and to reassure her that this government is very much committed to removing all forms of violence against women and children, and its \$140-million expenditure is just one example of the commitments that are being made.

We're also very concerned about new Canadians who are living in Ontario, because they can be marginalized by their lack of language skills. That's why our government has developed the cultural interpreter service and training grant programs. Just last month in Thunder Bay I announced about \$2 million for 11 organizations that assist new Canadians in Ontario with all manner of programs: access and interpretation services, from women's shelters to second-stage housing to support services with the police and in our court systems.

The violence against women prevention initiative by the Ontario Women's Directorate and the domestic violence justice strategy of the Ministry of the Attorney General are two examples of outstanding service that we're providing to help make Ontario a safer place for all Ontarians.

1520

**Mrs Marland:** I want to thank the minister for his response. Ontario has welcomed 100,000 immigrants each year for the past 11 years. In the period of 1990 to 2000, 1.3 million immigrants settled in Ontario. Coming to a new homeland presents some very difficult challenges in adjusting to their new life. What other programs are we providing to help families face these challenges as we welcome them to this great province?

**Hon Mr Jackson:** There are about nine ministers of the government of Ontario who are actively engaged in support programs for new Canadians who come to Ontario. In fact, it's rather significant. Our newcomer settlement program, for example, is spending \$4 million to provide settlement services for new immigrants.

We'd also indicate that although Ontario welcomes 60% of Canada's immigration, we're only receiving about 40% of the federal money. I noticed that our Prime Minister was in Toronto last night for a very important Liberal fundraiser and immigration seemed to be an important part of his theme and his discussions. It's unfortunate that he and his policies continue to marginalize new Canadians who live in Ontario. These people con-

tribute to our economy, they're building this province, they're strengthening our society, but they're not treated equitably by our federal government. Ontario continues to backfill programs—

**The Speaker (Hon Gary Carr):** Order. The minister's time is up.

## NORTHERN TRANSPORTATION

**Mr Gilles Bisson (Timmins-James Bay):** My question is to the Premier. The people of northeastern Ontario want to know what you, their northern Premier, are going to do to save rail passenger service in north-eastern Ontario. Seniors, First Nations communities and students, to name a few, all rely on rail services. It's fair to say that the train is one of the driving forces behind economic development in the north.

Premier, we northerners know that the Northlander faces challenges. That's why, this summer, we presented many thoughtful and workable ideas on improving services to an internal solutions group on attracting riders and improving the Northlander's bottom line. I understand that the report will be presented to the ONT Commission soon and that the report makes many suggestions that will go a long way to help save the train.

Premier, the people of the north have done their job. We want to know what our northern Premier is going to do to save the Northlander train.

**Hon Michael D. Harris (Premier):** I think the Minister of Northern Development can respond.

**Hon Dan Newman (Minister of Northern Development and Mines):** Creating a climate for economic growth and prosperity is the number one priority for our government in northern Ontario. We recognize that in order to reach and realize its full economic potential, northeastern Ontario requires access to effective and efficient transportation and telecommunications, and that's why our goal is to improve the transportation and telecommunications services in northeastern Ontario.

This is about better service; it's not about saving dollars. The status quo has not and does not provide the level of service that northerners need, and it doesn't provide the level of service that they deserve. That's why our government is committed to improving the infrastructure in the north. We want to ensure that there's reliable and effective service for communities and businesses, both large and small, who use the ONTC services.

## PETITIONS

## SOCIAL SERVICES

**Mr Dwight Duncan (Windsor-St Clair):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the provincial government has damaged public health care by slashing funding and engaged in ill-advised restructuring;

"Whereas the provincial government has slashed funding for social assistance therefore forcing welfare recipients to live in more poverty;

"Whereas the provincial government's refusal to raise minimum wage is forcing low-income workers to live in poverty;

"Whereas the provincial government's removal of the Rent Control Act has forced residents of this province to become homeless;

"Whereas the provincial government's refusal to commit itself to building new affordable housing is forcing people to either live on the street or in the hostel system;

"Whereas the provincial government has shut down schools and instituted Bill 74, causing unrest in the school system;

"We, the undersigned, petition and make the following demands of the Legislative Assembly of Ontario:

"That the government of Ontario repeal Bill 74; reopen schools, hospitals and psychiatric institutions that have been closed; make a commitment to building new social housing; reinstate the Rent Control Act; reinstate all funding to social assistance programs and health care; and raise the minimum wage.

"If the government is not prepared to act on these issues, we, the undersigned, demand that the government resign."

#### OHIP SERVICES

**Mr David Christopherson (Hamilton West):** I have petitions forwarded to my office and circulated by Gwen Lee, an active senior in Hamilton who spends an awful lot of time and effort working particularly on health care issues. The petition reads as follows:

"Whereas the Harris government's decision to delist hearing aid evaluation and re-evaluation from OHIP coverage will lead to untreated hearing loss; and

"Whereas these restrictions will cut off access to diagnostic hearing tests, especially in geographic regions of the province already experiencing difficulties due to shortages of specialty physicians; and

"Whereas OHIP will no longer cover the cost of miscellaneous therapeutic procedures, including physical therapy and therapeutic exercise; and

"Whereas services no longer covered by OHIP may include thermal therapy, ultrasound therapy, hydrotherapy, massage therapy, electrotherapy, magnetotherapy and biofeedback; and

"Whereas one of the few publicly covered alternatives includes hospital outpatient clinics where waiting lists for such services are up to six months long; and

"Whereas delisting these services will have a detrimental effect on the health of all Ontarians, especially seniors, children, hearing-impaired people and industrial workers; and

"Whereas the government has already delisted \$100 million worth of OHIP services,

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to immediately restore OHIP coverage for these delisted services."

On behalf of these petitioners and all of my constituents in Hamilton West, I am proud to add my name to this petition.

#### LORD'S PRAYER

**Mr John O'Toole (Durham):** It's my pleasure to read a petition I've received from Betty Greentree, who is the secretary for the official board of the Harmony United Church.

"To the Legislative Assembly of Ontario:

"Whereas the Lord's Prayer, also called Our Father, has been used to open the proceedings of municipal chambers and the Ontario Legislative Assembly since the beginning of Upper Canada in the 18th century; and

"Whereas such use of the Lord's Prayer is part of Ontario's long-standing heritage and a tradition that continues to play a significant role in contemporary Ontario life;

"Whereas the Lord's Prayer is the most meaningful expression of the religious convictions of many Ontario citizens;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario maintain the use of the Lord's Prayer in its proceedings, in accordance with its long-standing established custom, and do all in its power to maintain use of this prayer in municipal chambers throughout the province of Ontario."

On behalf of my constituents in the United Church, I would be pleased to sign and submit this petition.

#### NURSES

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** I am pleased to submit and support a petition from several of my constituents, which petition reads:

"To the Legislative Assembly of Ontario:

"Whereas the nurses of Ontario are seeking relief from heavy workloads, which have contributed to unsafe conditions for patients and have increased the risk of injury to nurses; and

"Whereas there is a chronic nursing shortage in Ontario; and

"Whereas the Ontario government has failed to live up to its commitment to provide safe, high-quality care for patients;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Ontario government take positive action to ensure that our communities have enough nursing staff to provide patients with the care they need.

"Furthermore, we petition the Ontario government accordingly that the government must:

"Ensure wages and benefits are competitive and value all nurses for their dedication and commitment;

"That the Ontario government ensure there are full-time and regular part-time jobs available for nurses in hospitals, nursing homes and the community; and

"Furthermore, that the government of Ontario ensure that government revenues fund health care, not tax cuts; and

"Finally, that the provincial government ensure front-line nurses play a key role in health reform decisions."

1530

### PERSONAL NEEDS ALLOWANCE

**Mr David Christopherson (Hamilton West):** I have further petitions from the Hamilton second-level lodging home tenants' task force. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas individuals who are tenants and residents in facilities such as care homes, nursing homes or domiciliary hostels under certain acts are provided with a personal needs allowance to meet incidental costs other than those provided by the facility; and

"Whereas the personal needs allowance has been fixed by the Ontario government at a rate of \$112 for nearly a decade and has not kept pace with cost-of-living increases, and furthermore is inadequate to meet incidental costs such as clothing, hygiene products and essentials;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to immediately review and amend provincial legislation to increase the personal needs allowance from \$112 a month to \$160 a month for individuals living in care homes, nursing homes or other domiciliary hostels."

I add my name to these petitioners'.

### LORD'S PRAYER

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm pleased to present a petition to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas the Lord's Prayer, also called Our Father, has been used to open the proceedings of municipal chambers and the Ontario Legislative Assembly since the beginning of Upper Canada in the 18th century; and

"Whereas such use of the Lord's Prayer is part of Ontario's long-standing heritage and a tradition that continues to play a significant role in contemporary Ontario life; and

"Whereas the Lord's Prayer is a most meaningful expression of the religious convictions of many Ontario citizens;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario maintain the use of the Lord's Prayer in its proceedings, in accordance with its long-standing established custom, and do all in its power to maintain use of this prayer in municipal chambers in Ontario."

I affix my signature.

### HOME CARE

**Mr James J. Bradley (St Catharines):** The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the need for home care services is rapidly growing in Ontario due to the aging of the population and hospital restructuring; and

"Whereas the prices paid by community care access centres to purchase home care services for their clients are rising due to factors beyond their control; and

"Whereas the funding provided by the Ontario government through the Ministry of Health and Long-Term Care is inadequate to meet the growing need for home care services; and

"Whereas the funding shortfall, coupled with the implications of Bill 46, the Public Sector Accountability Act, currently before the Legislature, are forcing CCACs to make deep cuts in home care services without any policy direction from the provincial government;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) That the Legislative Assembly direct the provincial government to take control of policy-setting for home care services through rational, population-based health care planning rather than simply by underfunding the system; and

"(2) That the Legislative Assembly direct the provincial government to provide sufficient funding to CCACs to support the home care services that are the mandate of community care access centres in the volumes needed to meet their communities' rapidly growing needs; and

"(3) That the Legislative Assembly make it necessary for the provincial government to notify its agencies about the amount of funding they will be given by the government in a fiscal year at least three months in advance of that commitment."

I sign this petition. I am in complete agreement.

### OCCUPATIONAL HEALTH AND SAFETY

**Mr David Christopherson (Hamilton West):** The issue of cancer in the workplace is not going away and neither is the fight to make this an issue the government deals with. To that extent, I still receive petitions from CAW members from all across Ontario. The petitions read as follows:

"To the Legislative Assembly of Ontario:

"Whereas this year 130,000 Canadians will contract cancer and there are at minimum 17 funerals every day for Canadian workers who died from cancer caused by workplace exposure to cancer-causing substances known as carcinogens; and

"Whereas the World Health Organization estimates that 80% of all cancers have environmental causes and the International Labour Organization estimates that one million workers globally have cancer because of exposure at work to carcinogens; and

"Whereas most cancers can be beaten if government had the political will to make industry replace toxic substances with non-toxic substances; and

"Whereas very few health organizations study the link between occupations and cancer, even though more study of this link is an important step to defeating this dreadful disease;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That it become a legal requirement that occupational history be recorded on a standard form when a patient presents at a physician for diagnosis or treatment of cancer; and

"That the diagnosis and occupational history be forwarded to a central cancer registry for analysis as to the link between cancer and occupation."

On behalf of my constituents and NDP colleagues, I add my name to this petition.

#### LORD'S PRAYER

**Mrs Julia Munro (York North):** To the Legislative Assembly of Ontario:

"Whereas the Lord's Prayer, also called Our Father, has been used to open the proceedings of municipal chambers and the Ontario Legislative Assembly since the beginning of Upper Canada in the 18th century; and

"Whereas such use of the Lord's Prayer is part of Ontario's long-standing heritage and a tradition that continues to play a significant role in contemporary Ontario life; and

"Whereas the Lord's Prayer is a most meaningful expression of the religious convictions of many Ontario citizens;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario maintain the use of the Lord's Prayer in its proceedings, in accordance with its long-standing established custom, and do all in its power to maintain use of this prayer in municipal chambers in Ontario."

As I am in agreement with this, I will be signing it.

#### HOME CARE

**Mr Michael A. Brown (Algoma-Manitoulin):** I have a petition signed by literally thousands of people. To the Legislative Assembly of Ontario:

"Whereas the need for home care services is rapidly growing in Ontario due to the aging of the population and hospital restructuring; and

"Whereas the prices paid by community care access centres to purchase home care services for their clients are rising due to factors beyond the control of CCACs; and

"Whereas the funding model provided by the Ontario government through the Ministry of Health and Long-Term Care is inadequate to meet the growing need for home care services; and

"Whereas the funding shortfall, coupled with the implications of Bill 46, the Public Sector Accountability Act, currently before the Legislature, are forcing CCACs to make deep cuts in home care services without any policy direction from the provincial government;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) That the Legislative Assembly direct the provincial government to take control of policy-setting for home care services through rational, population-based health planning rather than by simply underfunding the system; and

"(2) That the Legislative Assembly direct the provincial government to provide sufficient funding to CCACs to support the home care services that are the mandate of CCACs in the volumes needed to meet their communities' rapidly growing needs; and

"(3) That the Legislative Assembly make it necessary for the provincial government to notify the agencies it funds of the amount of funding they will be given by the government in a fiscal year at least three (3) months before the commencement of the fiscal year."

I'm happy to support this petition and affix my signature.

#### OHIP SERVICES

**The Acting Speaker (Mr Bert Johnson):** Further petitions? The Chair recognizes the member for Timmins—

**Mr Gilles Bisson (Timmins-James Bay):** James Bay.

**The Acting Speaker:**—and James Bay.

**Mr Bisson:** James Bay. It's the little one underneath Hudson Bay.

I have a petition here signed by a number of people from across the riding, and it reads as follows.

"Whereas the Harris government's decision to delist hearing aid evaluation and re-evaluations from OHIP coverage will lead to untreated hearing loss; and

"Whereas these restrictions will cut off access to diagnostic hearing tests, especially in geographic regions of the province already experiencing difficulties due to shortages of specialty physicians"—such as in the Timmins-James Bay area—"and

"Whereas OHIP will no longer cover the cost of miscellaneous therapeutic procedures, including physical therapy and therapeutic exercise; and

"Whereas services no longer covered by OHIP may include thermal therapy, ultrasound therapy, hydrotherapy, massage therapy, electrotherapy, magnetotherapy, transcutaneous nerve therapy stimulation and biofeedback; and

"Whereas one of the few publicly covered alternatives includes hospital outpatient clinics where waiting lists for such services are up to six months long; and

"Whereas delisting these services will have a detrimental impact on the health of Ontarians, especially seniors, children, hearing-impaired people and industrial workers; and

"Whereas the government has already delisted \$100 million worth of OHIP services;

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately restore OHIP coverage for these delisted services."

I sign the petition on behalf of the constituents.

1540

## ORDERS OF THE DAY

### RESCUING CHILDREN FROM SEXUAL EXPLOITATION ACT, 2001

#### LOI DE 2001 SUR LA DÉLIVRANCE DES ENFANTS DE L'EXPLOITATION SEXUELLE

Mr Young moved second reading of the following bill:

Bill 86, An Act to rescue children trapped in the misery of prostitution and other forms of sexual exploitation and to amend the Highway Traffic Act / Projet de loi 86, Loi visant à délivrer les enfants prisonniers de la prostitution et d'autres formes d'exploitation sexuelle et modifiant le Code de la route.

**The Acting Speaker (Mr Bert Johnson):** The Chair recognizes the Attorney General.

**Hon David Young (Attorney General, minister responsible for native affairs):** Thank you, Mr Speaker. At the outset, with your permission, I will be sharing my time with the member for Dufferin-Peel-Wellington-Grey and the member for Barrie-Simcoe-Bradford.

I am pleased to stand today to proceed with second reading of this very important piece of legislation entitled Rescuing Children from Sexual Exploitation Act, 2001. It is both distressing and disturbing that we do indeed need this legislation in this great province, but the reality is that every day across Ontario, children, some as young as 12 years of age, are being sold for sex. They are being coerced into using their bodies to make money for adults. It's just that simple.

They are forced to turn tricks on street corners. They are enslaved in massage parlours, strip clubs, and they are made to sell sex on telephone lines and through the Internet. Clearly, these young individuals are victims. They are victims of pimps, johns and other sexual predators who are engaging in a form of sexual abuse.

If these children try to leave these terrible situations, they often find themselves the victims of physical and emotional abuse as well. For many, what this means is a doomed existence. It means that these children, who desperately need protection, are going to be victims forevermore. They need help. They need help to break away from those adults who abuse them and exploit them.

This problem is not unique to Ontario. We are not alone in our desire to help children who are being exploited for commercial purposes. Approximately three years ago, at the annual Premiers' conference, Premier

Harris and other Premiers from across this country agreed to continue to pursue appropriate actions to protect children who are trapped in a life of prostitution. They called on the federal government to join their efforts to stop child prostitution. The Premiers at that point in time, some three years ago, thought it to be imperative that they act together and they act quickly in order to try to diminish what is a very clear and present danger.

In the sexual exploitation of children bill, we have outlined a number of remedies that are required. We know they're required because we have spoken to children's aid society workers from across this province and we have spoken to the police. Both of those groups deal with this problem on a daily basis. It's not theoretical. It's not a bunch of papers in front of them. It's a sad reality of life for many across this province.

A recent study which looked at children in Canada, the United States and Mexico found that sexual exploitation of children had grown to record levels. The estimate from that study, in the review of just the United States of America, found that one in 100 are victims of commercial sexual exploitation. That's one child out of every 100 children is a victim. While Canadian figures are not available, it is anticipated that the percentage would be roughly similar in our country. The author of the study stated that child exploitation is the most hidden form of sexual abuse in North America.

Make no mistake: this is not just a problem for the big cities. It affects children across this province. The police in Toronto tell us, as do police in other parts of this province, that individual children from rural areas come to urban communities and are exploited in just this way. For that reason, no one should turn a blind eye to this epidemic, an epidemic that impacts the most vulnerable individuals in our society.

We must take action. We must take action now to protect these young people.

The proposed act would rescue children under the age of 18 trapped in the misery of prostitution or in other forms of sexual exploitation. It would allow the province to sue sexual predators who target our kids. It would help these children return to a normal life that involves going to school, playing with their friends and playing sports, instead of their current existence, an existence that has them each and every day being abused by adults whose motive is to make money.

The proposed bill would attack this very serious situation in two primary ways. It would provide the tools to allow sexually exploited children to be rescued from dangerous situations. Those are the tools that child care workers and police have asked for, and with our legislation both would be permitted to intervene, as I will explain in a moment. The bill would also allow the government to target abusers in numerous ways.

During the development of this bill, we consulted with many individuals across this province who deal directly with exploited children. They do so on a daily basis, and

they believe this bill responds to what is indeed a very serious and ongoing problem.

The proposed legislation recognizes that time has changed, life has changed, and frankly, as sad as it is to say, exploitation methods have changed. The grim reality of today includes sexual exploitation of children that goes well beyond the scenario of a young person standing on a street corner in an urban centre. Many child victims are being kept underground to avoid detection by the justice system. However, if this legislation is passed, it would empower the authorities to intervene in the case of children exploited by street prostitution, in adult massage parlours, in bawdy houses and through escort services. Whether it be through telephone or Internet sex lines, this legislation would allow the authorities to intervene, and the same is true of situations where young people are being forced to participate in the pornography industry, if one can call it that.

The legislation would allow police and children's aid workers to rescue these young people from dangerous situations, in some instances with a warrant and in some instances without. A child could be rescued without a warrant if obtaining a warrant would jeopardize the ability to remove the child from a dangerous situation.

Without this legislation, the police and child care workers who struggle with these growing problems will continue to be frustrated in the way that they have been frustrated in the past. Police forces have said—in fact, numerous individuals have specifically spoken to me about their frustration. They said they require help. They need help to help these young victims who are being exploited.

This legislation, if passed, would put them on a level playing field with those sexual predators who are making victims of society's most vulnerable. It would help get these young people into a safe environment where they belong.

It is a sad reality that these children who are being sexually exploited for profit are in desperate need of care. If passed, this legislation would address their unique care and treatment needs. Once they are removed from the predator, once they are removed from danger, they would be placed in a safe location for up to 30 days, to be determined by a judge. The judge would receive information regarding the young person and then would make his or her decision as to what service or services are required. The services might include medical services, drug and alcohol counselling, various types of therapy and specialized legal services.

If this legislation is passed, the government would commit \$15 million annually to ensure that appropriate resources are provided to assist these young people.

We must get involved. We must get involved if we are going to help to break the cycle of child prostitution and other forms of youth exploitation.

1550

The proposed legislation clearly has the interests of children in mind. At the same time, it is also respectful and respectful of their rights. We have built into the

legislation a number of steps to ensure that children are protected throughout the process. For example, within 24 hours, or as soon as possible after a child has been rescued by the police or children's aid, a judge or justice of the peace will be in a position and is obliged to review the legal authority and the validity of the action that was taken by the authorities. A second hearing would take place within five days. At that point in time, the court could do one of a number of things: they could extend the period of placement for up to 30 days; they could, if appropriate, return the child to his or her parents or guardian if appropriate supervision is available—and evidence would be presented to the court to allow the court to determine that; or they could decide that further intervention is warranted. Those are all options available to the trier of fact, the judge or justice of the peace who will review this matter.

We have built on Alberta's experience. It should be acknowledged that the Alberta legislation has existed for a period of time and has, frankly, achieved some very impressive results. While our primary concern, of course, is rescuing sexually exploited children and helping them begin a new life, we are also interested in targeting the sexual predators who prey on these young people. That's why, if our legislation is passed, we would be the first jurisdiction in this country to allow us to sue the pimps who victimize these young people, to get back the costs associated with assisting these young people. Who better, who more appropriate, to pay those expenses than the predator who brought the young person into this despicable situation and who profited as a result of the situation?

The legislation would also permit the suspension of driver's licences of pimps and johns convicted of prostitution under the Criminal Code. With these provisions, we will be sending a very loud and clear message to anyone who is engaging in this exploitive behaviour or is considering that behaviour.

Earlier this year, the government introduced Bill 30, the civil Remedies for Organized Crime and other Unlawful Activities Act. I mention that because the two bills, the one that we are debating today and the organized crime bill that I referred to a moment ago, both speak to the fact that this government is committed to taking the profit out of crime. We have said we would not allow criminals to profit, and we are acting to prevent that.

I say to you that the organized crime bill, if passed, would allow us to use civil law to freeze, seize and forfeit the proceeds of unlawful activity. It, together with the bill that we are here debating today, if they are passed, would work with yet another piece of legislation that we have come forward to introduce in the last short while. You will undoubtedly recall that Bill 69, the Prohibiting Profiting from Recounting Crimes Act, is also a matter that is in front of this respected Legislature this session. That act, if passed, would permit the government to ask the court to seize assets acquired by convicted criminals through the retelling of their story. In other words, if that

bill passes, no one would be able to profit from the retelling or the recounting of their story to any type of media in relation to serious crimes, whether it be a media interview, a book or a movie. Those criminals will not be able to profit if that legislation is passed.

This government is firmly committed to ensuring that victims in Ontario have access to the support they need and, indeed, they deserve. We have backed our commitment with increased funding for a range of government and community programs that serve victims in various ways throughout this province.

I say to you that I was very proud to be present in this government when the victim/witness assistance program was expanded to 57 sites across Ontario. That announcement was made recently, and it deals with what will happen over the next three years. Our government has also dedicated up to \$50 million to provide more and better services for victims of crime. We're also committed, as you are undoubtedly aware, to enhancing victims' rights. That's why we came forward and passed the Victims' Bill of Rights, and that's why earlier this year, the Victims' Bill of Rights Amendment Act was proclaimed. I'm very proud to say that it is the very first of its kind in this great country. It's the first permanent office available to assist victims of crime.

One example of how it does so and how much better this province is as a result of that office's existence occurred over the last two weeks. The great tragedy that occurred south of the border affected many Canadians and many Ontarians. The Office for Victims of Crime came forward, together with my ministry and Mr Harris, and announced what was the only provincial project across the country to assist victims of the great tragedy that occurred south of the border. Premier Harris made it very clear that there would be \$3 million available to assist victims who had suffered as a result of the hideous acts that occurred in New York, Pennsylvania and Washington. We have representatives of that office and my ministry who have been in New York to assist those victims. That is one of many ways in which this province is better off as a result of the establishment and the entrenchment of the Office for Victims of Crime.

To return to the bill that is being debated this afternoon in the Legislative Assembly, I want to make it clear that young people sexually exploited for profit are victims. It's important to make it clear that they are victims; they are not the offenders. The offenders are the pimps and others who bring these young people into their clutches and keep them there to exploit these children. They do so for one reason and one reason only, and that's to make money.

Protecting victims—all victims—is a priority for this government. That's why our proposed legislation contains a number of provisions designed to protect child victims of sexual exploitation. Under this bill, if it is passed, information regarding the identity of a child, the child's parents or child witnesses in any court proceeding would not be published or broadcast except as permitted by the court. Furthermore, all hearings would be closed

to the public and they would be closed to the media. We do that not to limit the rights of the media, but to protect the young people, to not allow them to be re-victimized. We will also ensure, if this bill is passed, that all court records of proceedings will be sealed. We will ensure that the child witnesses are protected from abusive or irrelevant cross-examination by the lawyer for the pimp.

The child's right to privacy will be protected in another way, an important way, by restricting access to personal and medical records of the young person. Children who have been rescued from sexual exploitation have a difficult enough journey ahead of them as they attempt to return to a normal life. We need not add to that and we will not add to that in this system. We are committed to ensuring that the transition is as smooth as possible to protect these young people.

I understand that this legislation will not resolve and end all exploitation of young people. I know this is no panacea, but it is indeed another step down the road, a road we must travel. It is an important next step which will be used, together with the criminal laws of this country, to protect young people.

I want to emphasize that police and children's aid workers can only rescue a child from the dangers of sexual exploitation if they are under age 16, as things are now configured. That is a problem. It's a problem because there are many 17- and 18-year-olds who find themselves trapped in this cycle, in the situation where they are being exploited on a daily basis.

1600

I had an opportunity to meet with a senior officer from the Toronto police force recently. I talked to him about his experience under the current set of laws. I talked to him about what happens when he finds an underage prostitute and tries to help him or her. He talked to me about those first days following the apprehension, the rescuing of that young person. What happens with all too much frequency is that the young person is brought to a safe house by the police officer. But if the child is 17 or 18 years of age, there is nothing to compel that child to stay in that safe house. They are free to go under the current law. That's a problem.

It was a particularly vivid example that this one officer used when I recently spoke to him, because he talked about a very cold winter day when he found a young 17-year-old girl, a girl who had been used and abused and exploited by an adult over an extended period of time. He talked about taking this young person to a safe house. He talked about settling the young girl in the safe house and returning to his police cruiser, and I guess he got on the radio to figure out where he should go next. He looked at the back of this residence and he saw the young person running away, in the middle of the winter with snow on the ground. The young girl left without shoes—without any winter clothing and no shoes, no boots. She ran, presumably, back to a very dangerous situation. We can't let that continue. We simply can't let that continue. This legislation, if it is passed, will compel a young person in that situation to stay if a judge deems it appropriate.

Remember, there is judicial review at various points. There's an initial judicial review by a justice of the peace or a judge within 24 hours of the apprehension or as soon as possible. Within five days a judge will review the matter to ensure that it is appropriate that the child remain confined, that the child get appropriate assistance during that period of time. When I say "confined," I'm talking about confined in a safe house, one that has been chosen and is being monitored by the children's aid society. These are places to get help. These are places to get therapy. These are places to have an opportunity to resume their life, a real life.

So this legislation would allow for review after 24 hours, as I indicated, after five days, and at that point in time the judge can make some decisions as to whether it's appropriate for the young person to be returned to the parents, to be put in a different program or to be ordered to continue to stay in the home they are in where they can get the greatest assistance. They can be confined there for up to 30 days.

The problem, as I indicated earlier, isn't unique to the city of Toronto. I have had an opportunity to travel around this province and was in Thunder Bay recently. I heard police forces talk about how young people from surrounding communities—rural, remote areas, by and large—come to Thunder Bay and engage in a very similar sort of victimization. I should say they are made victims in that way. It isn't something that only cities like Toronto, Hamilton and Windsor have a problem with. It is a problem throughout this province and it's a problem that's going underground, as we indicated earlier. It isn't the traditional sort of streetwalker in every instance. With the advent and the advancement of the Internet, unfortunately all too often we see exploitation through that means as well, and this legislation is designed to combat that and deal with that. The proposed legislation would give police and children's aid workers—and I emphasize that—an additional tool to rescue children under 18 years of age and to combat this very serious problem.

Earlier this afternoon I referenced the legislation that had been passed in Alberta. I did so for a number of reasons. One was to give them credit for what was indeed an innovative and very successful program. But I also did so in order to highlight the fact, in the best way we can within the Canadian experience, that we do have a problem in this country. And we're not talking about one or two individuals, although that would be problem enough. We have a problem that in the case of Alberta, in the first two years of existence, this legislation assisted 545 young people. There were 545 young people who were rescued by similar legislation in the province of Alberta. If one considers the population of Alberta compared to the much greater population within this province, we would estimate—and it is only an estimate—that in excess of 1,000 children a year would be rescued, would be assisted, would be given their life back if this legislation is passed.

When I stood in this Legislature in the spring and introduced this bill for first reading, I took a moment at that point in time to reference the member for Sudbury. Mr Bartolucci deserves to be commended for continuing to bring this issue forward, for his efforts in attempting to help sexually exploited children. I am proud and pleased to once again do so.

I have certainly reviewed the bills he has put forward. There is no doubt in my mind that his intention is to assist young people, and I greatly respect that. There are some aspects of his legislation that are similar to the legislation in Alberta and similar to the legislation we have introduced. I will say to you that in many respects our bill, our proposed legislation, is quite different—I believe more comprehensive; he may have something else to say about that—but I think a reasonable review of it would suggest that indeed this is a far more comprehensive and likely effective tool. Undoubtedly, we will have an opportunity to discuss that in due course. I want to say to you, though, that I think Mr Bartolucci deserves credit for his sincere interest in this serious matter.

By way of conclusion, let me say this: this is a very complex issue. Anyone who thinks otherwise is sadly mistaken. There are no easy, quick-fix, simple answers to resolve this problem that is long-standing but is also one that is growing. Research tells us that many children who are runaways, many of those who are rescued, in Alberta and—given the limited powers in Ontario—even in Ontario are often children who are escaping abusive situations at home. We're aware of that. Some believe that life on the street is a better way, or at least that's what they believe when they set out on this journey. I guess in some instances it's understandable why they have that misconception or belief in the early stages.

But what happens time and time again is that the abuse continues. This time, when they're out on the street, the abuse is at the hands of other adults—pimps, johns and other sexual predators—who prey on these young people; who use them in despicable ways; who use them for commercial purposes; who use them and abuse them and exploit them as though they were objects—these precious young children exploited in that way as though they were objects.

This legislation, if it's passed, would help some of the most vulnerable individuals in our province. I can think of no better use of this Legislature's time than to discuss and debate this issue. I am hopeful that we will hear from the opposition, the Liberals and New Democrats, who will stand and who will support this endeavour, because if there was ever an issue that cried out for an abandonment of partisan, parochial, political behaviour, this is it.

So I invite and I urge the members opposite, the Liberals and the New Democrats, in this Legislature to join us in this endeavour to help young people. I would invite them to put aside any political points they think they might be able to make. I would invite them to do what, as I said a moment ago, is perhaps the most important thing they will ever do while seated in this

Legislature and support this innovative, comprehensive bill that will help some of the most vulnerable people in this province. If it is passed, this bill will give these young people an opportunity to start life anew. It will give them an opportunity to have the care and treatment they need and deserve.

All children are a priority for this government, and we are committed to ensuring that they have the best possible future. Our children deserve nothing less.

1610

**The Acting Speaker:** Further debate?

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):**

I'd like to join with the Attorney General, the member from Willowdale, in the debate on Bill 86. I'm going to read the title. It's a long title, but it does express what I believe is the intent of the bill. It's called An Act to rescue children trapped in the misery of prostitution and other forms of sexual exploitation and to amend the Highway Traffic Act. I think, as the debate unfolds, you will see why the bill was named in that way.

This legislation, if passed, would help ensure that Ontario's children are safe in their communities and are able to get the services they need to grow up to be healthy, contributing citizens.

The proposed bill will give the police and children's aid society workers in this province more and better tools to help young victims of sexual exploitation. It will also allow the provincial authorities—the lawmakers, the children's aid society people, the social workers—to target the sexual predators who abuse these children. So not only are we trying to save the victims, these young children, but we're trying to target the predators who prey on them.

This proposed legislation would permit police and children's aid society workers to rescue sexually exploited children under the age of 18 and place them in a safe, secure location for up to 30 days. Child victims of sexual exploitation could be rescued from a range of situations, which include street prostitution—perhaps the most common one—adult entertainment facilities, massage parlours, bawdy houses, escort services, locations where telephone or Internet sex lines are being operated and the pornography industry in general. In all of those things, children are victims, and that's what we're trying to stop.

The application of this legislation recognizes that many child victims of sexual exploitation, as the Attorney General has indicated, are being kept underground to avoid detection by the justice system. Under this proposed bill, the child would be rescued with or without a warrant. That may be controversial in the debate ahead, but I will try to explain why we are saying that.

In most circumstances, a warrant would be obtained to enter the premises to rescue the child. However, the proposed legislation would also allow the removal of a child without a warrant if obtaining a warrant jeopardizes the ability to rescue that child from a situation of sexual exploitation.

To ensure due process, a judge or a justice of the peace would review the legal authority and validity to

rescue that child within 24 hours or as soon as possible. Then there would be a second hearing; that would occur within five days, at which time the court would be able to make a number of decisions in the best interests of the child. This would include a number of things. It would include extending the placement up to 30 days. It could return the child to his or her parents or legal guardian, if appropriate care and supervision would be provided, or determine that future intervention is not required in this particular case.

Again, as the Attorney General has indicated in his remarks to the House today, in an effort to further protect the privacy of these child victims, the provisions of the bill include statements to ensure that all such hearings are closed to the public and to the media and that records of proceedings are sealed.

I'd like to say a few words with respect to assisting these victims. Once removed from danger, these children would be placed in a safe, secure location where they could receive appropriate care and assistance.

As a result of being sexually exploited, many child victims suffer significant and long-term impacts to their physical and emotional well-being. This can be compounded by drug addiction, by sexually transmitted diseases and physical abuse.

This bill recognizes that each child has different needs and that flexibility is required when determining what type of care is required. That is why each child's treatment needs would be assessed on an individual basis. A wide range of services would be available to this child, including drug and alcohol counselling, specialized legal services such as witness protection plan and victim witness assistance, medical services such as detoxification and treatment for sexually transmitted diseases, mental health services and counselling support services.

If this legislation is passed, the government would commit up to \$15 million annually to ensure that the appropriate services and supports are in place so that these children receive effective and meaningful assistance.

The children's aid society would assume responsibility for managing the child's care while in the safe location. With the help of the children's aid society, some children can be linked to longer-term care and support services to assist the child with ongoing issues and problems.

The sexual exploitation of children is a highly complex problem and, as the Attorney General has stated, has no simple answers. Helping these victims return to a normal life is one step in combatting the problem.

This legislation, if passed, would send a strong message that sexual exploitation of children will not be tolerated in the province of Ontario. It would permit the suspension of drivers' licences of pimps and johns convicted of prostitution-related Criminal Code offences involving the use of a motor vehicle.

The proposed bill would also allow the province to try to recover some of the costs of treating child victims by suing pimps and others who sexually exploit these children for profit. The province of Ontario would be able to

sue for the full amount of taxpayers' dollars that has been spent or that may be spent in the future to provide assistance to a particular victim or identifiable group of victims that has been exploited as a result of the abuser's conduct. To protect children who may be involved in this process, provisions are included in the bill to protect child witnesses from abusive cross-examination or irrelevant questions and to ensure a child's personal information is kept private. Treating child victims of sexual exploitation is costly for the province of Ontario and it's costly, ultimately, to the taxpayers, and because of that we believe it's entirely appropriate to try to recover money from pimps and other sexual predators for services associated with helping these victims.

1620

I would like, as the Attorney General has done, to acknowledge the member for Sudbury, Mr Bartolucci, for the work he has done in the bills that he has introduced to the House. As the Attorney General has stated, he should be given full credit for his work and his attempt to bring this issue to the public forefront. Because of that, I think it would be appropriate, not to take away from anything that he has done in this place, to compare the legislation that he has introduced and the legislation that's before us today, as introduced by the Attorney General.

His private member's bills dealing with the sexual exploitation of children, no question about it, as the Attorney General has stated, were clearly well intentioned, but the proposed government bill that's before the House today, we believe, is substantially different and goes much further than what his bills did. The government legislation that's here this afternoon, we believe, better protects the rights and interests of these young victims. It includes strong due process for all children, and I emphasize "all children." Regardless of whether they have been apprehended with or without a warrant, every child gets a preliminary hearing before a judge within 24 hours and gets a full hearing within five days. Bill 22, which was one of the member's bills, lacks the constitutional guarantees of due process, in that only children apprehended without a warrant have the right to appear before a judge, and this only has to occur within 72 hours of the child's apprehension. In addition, under the private member's bill, children apprehended with a warrant have no right to appear before a judge.

The government bill before the House today also provides a stronger foundation for meaningful intervention. The government bill, Bill 86, allows both police and social workers, child welfare workers, to apprehend children in a situation of sexual exploitation. The private member's bill, as introduced by the member, empowers only the police to act.

As the Attorney General has indicated in his submissions preceding me, we know from Alberta's experience that both police and child welfare workers are actively involved in these types of cases. It's necessary to provide both with the tools to assist these children. The government bill that is here before us this afternoon has a maximum 30-day intervention period. The private member's

bill provides for a significantly shorter 72-hour detention period. Alberta recognized that 72 hours gave little opportunity to make a meaningful intervention—and that, I assume, is where the member got his 72-hour suggestion—and has since amended its legislation to provide a longer intervention period.

The government bill also better targets the predators who sexually exploit children. The member's bill, Bill 22, attempts to create a provincial offence against pimps and johns which, I would submit, is outside the jurisdiction of this Legislature. It's outside the scope of provincial legislation. We, on this side, have concerns that the key elements of Bill 22 could not successfully withstand the constitutional challenges in a court of law. We are much more confident that the government bill would withstand any constitutional challenge and will target pimps and johns in a manner that more clearly falls within the provincial jurisdiction.

In conclusion, the proposed legislation that's before us for debate today is another example of this government's commitment to holding offenders accountable for their crimes and for taxpayers' dollars. The legislation is another example of our commitment to support all victims of crime.

Those are my comments with respect to this bill and I would urge all members of this House to support this legislation.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm very pleased to join in the debate this afternoon on this second reading. It's an honour today to speak about the Rescuing Children From Sexual Exploitation Act, 2001. This legislation, if passed, will help ensure that Ontario's children are safe in their communities and are able to get the services they need to grow up to be healthy and contributing citizens. The proposed bill would give police and the Children's Aid Society workers more and better tools to help young victims of sexual exploitation. It would also allow the province to target sexual predators who abuse these children.

The focus of this act, in one part, is to rescue the victims. The proposed legislation would permit police and children's aid society workers to rescue sexually exploited children under the age of 18 and place them in a safe and secure location for up to 30 days. Child victims of sexual exploitation could be rescued from a range of situations, including street prostitution, adult entertainment facilities, massage parlours, bawdy houses, escort services, locations where telephone or Internet sex lines are being operated, and the pornography industry.

The application of this legislation recognizes that many child victims of sexual exploitation are being kept underground to avoid detection by the justice system. Under the proposed bill, the child could be rescued with or without a warrant. In most circumstances, a warrant would be obtained to enter the premises to rescue the child. However, the proposed legislation would also allow removal of the child without a warrant if obtaining a warrant jeopardizes the ability to rescue the child from a situation of sexual exploitation.

To ensure due process, a judge or justice of the peace would review the legal authority and validity of the action to rescue the child within 24 hours or as soon as possible. A second hearing would occur within five days, at which time the court would be able to make a number of decisions in the best interests of the child. This could include extending the placement for up to 30 days, returning the child to his or her parents or legal guardian if appropriate care and supervision would be provided, or determining that future intervention is not required in that particular case.

In an effort to further protect the privacy of these child victims, the proposed bill includes a provision to ensure that all such hearings are closed to the public and media and that records of proceedings are sealed.

The bill also deals with assisting victims. Once removed from danger, these children will be placed in safe, secure locations where they can receive appropriate care and assistance. As a result of being sexually exploited, many child victims suffer significant and long-term impacts to their physical and emotional well-being. This can be compounded by drug addiction, sexually transmitted diseases and physical abuse. This bill recognizes that each child has different needs and that flexibility is required when determining what type of care is required. That is why each child's treatment needs would be assessed on an individual basis. A wide range of services would be available, including drug and alcohol counselling, specialized legal services such as the witness protection plan and victim witness assistance, medical services such as detoxification and treatment for sexually transmitted diseases, mental health services, and counselling support services.

1630

If this legislation is passed, the government will commit approximately \$15 million annually to ensure that appropriate services and supports are in place so that these children receive effective and meaningful assistance. The children's aid society would assume responsibility for managing the child's care while in the safe location.

With the help of the children's aid society, some children can be linked to longer-term care and support services to assist the child with ongoing issues and problems. The sexual exploitation of children is a highly complex problem with no simple answers. Helping these victims return to normal life is one step in combatting the problem.

Another focus of the legislation is targeting predators. This legislation, if passed, would send a strong message that sexual exploitation of children will not be tolerated in this province. It would permit the suspension of driver's licences of pimps and johns convicted of prostitution-related Criminal Code offences involving the use of a motor vehicle.

The proposed bill would also allow the province to try to recover some of the costs of treating child victims by suing pimps and others who sexually exploit children for profit. The province would be able to sue for the full

amount of taxpayers' dollars that have been spent or that may be spent in the future to provide assistance to a particular victim or identify a group of victims who have been exploited as a result of an abuser's conduct.

To protect children who may be involved in this process, provisions are included in the bill to protect child witnesses from abusive cross-examination or irrelevant questions and to ensure a child's personal information is kept private.

Treating child victims of sexual exploitation is costly for the provincial government and ultimately for its taxpayers. We believe it is entirely appropriate to try to recover money from pimps and other sexual predators for services associated with helping their victims.

I'd like to also speak on the private member's bills that have been dealt with before this legislation was brought into place.

I too wish to acknowledge the member for Sudbury, Mr Rick Bartolucci, for his sincere and heartfelt efforts on this matter. His private member's bills dealing with the sexual exploitation of children were clearly well-intentioned, but the proposed government bill is substantially different and in my opinion goes much further.

Our proposed legislation better protects the rights and interests of these young victims. The proposed government bill includes strong due process provisions for all children regardless of whether they have been apprehended with or without a warrant. Every child gets a preliminary hearing before a judge within 24 hours and gets a full hearing within five days.

Bill 22, the private member's legislation, lacked the constitutional guarantees of due process. Only children apprehended without a warrant have a right to appear before a judge, and this only has to occur within 72 hours of the child's apprehension. Children apprehended with a warrant have no right to appear before a judge.

The proposed government bill also provides a stronger foundation for meaningful intervention. The proposed government bill allows both police and child welfare workers to apprehend children in situations of sexual exploitation. The private member's bill, Bill 22, empowered only the police to act in these situations. We know from Alberta's experience that both police and child welfare workers are actively involved in these types of cases, and it is necessary to provide both with the tools needed to assist these children.

The proposed government bill has a maximum 30-day intervention period. The private member's legislation, Bill 22, provided for a significantly shorter 72-hour detention period. The province of Alberta recognized that 72 hours gave little opportunity to make a meaningful intervention and has since amended its legislation to provide for a longer intervention period.

The proposed government bill also better targets the predators who sexually exploit children. The private member's legislation, Bill 22, attempted to create a provincial offence against pimps and johns which is likely outside the scope of provincial jurisdiction. We have concerns that key elements of the private member's legis-

lation, Bill 22, could not successfully withstand a constitutional challenge. The proposed government bill is constitutional and will target pimps and johns in a manner that more clearly falls within the province's jurisdiction.

As well, Bill 22, the private legislation, is virtually redundant as many municipalities have already acted on their own to establish licensing requirements for adult entertainment parlours. Still, we appreciate the member's work and interest in helping these children. Quite frankly, when I spoke on the private member's legislation, I was very supportive of it as an initial first step in getting to the root of the problem.

This proposed legislation is another example of this government's commitment to holding offenders accountable for their crimes and for taxpayers' dollars. The proposed legislation is another example of the government's commitment to supporting all victims of crime.

As the Attorney General stated, we need this legislation. It is very clear that this type of activity is going on. The records that the Attorney General indicated with respect to the province of Alberta in terms of children who have been helped by their legislation, and the number of 545 extrapolated to the population of Ontario would be in excess of 1,000. That's a very serious problem and it has to be dealt with.

Ontario is not alone in its desire to protect children who are being sexually exploited for commercial purposes. At the recent annual Premiers' conference, Premier Harris and Canada's other Premiers agreed unanimously to continue pursuing appropriate actions to protect children involved in prostitution. They also called on the federal government to join their efforts to stop child prostitution. The Premiers of this country recognize that it is imperative to act together to protect our children from danger.

The sexual exploitation of children is more widespread than one might imagine. A recent study which looked at children in Canada, the United States and Mexico found that sexual exploitation of children has grown to record levels. It estimates that 326,000 children in the United States, or one in 100, are the victims of commercial sexual exploitation. While Canadian figures are not available, it is anticipated that the situation is much the same in our country. The author of the study stated that child exploitation is the most hidden form of child abuse in the United States and North America today.

And make no mistake. This is not just a big city problem; it affects children from right across this province. Police in Toronto tell us children come to the city from rural and urban communities throughout Ontario. For that reason, no one can, or should, turn a blind eye to what some are calling an epidemic.

In these times of the technological revolution, the ability to access young children has been increased more than ever before. As I said earlier, some of the methods to get children involved in these situations where they become very vulnerable are the telephone or Internet sex lines which are being operated. The police have to be

very vigilant with respect to this particular activity. You've all heard of situations where children who are using the Internet are taken advantage of by adults who use the Internet to try to get face-to-face meetings with these young children, and that can lead to no positive purpose or any meaningful reason for meeting.

In conclusion, I would say that I fully support this legislation. I think it covers all the angles and all the bases in terms of trying to deal with rescuing the victims, providing assistance and also targeting the predators.

1640

**The Acting Speaker:** Further debate?

**Mr Rick Bartolucci (Sudbury):** I'm pleased to say that I'll be sharing my time with the member for St Paul's and the member for Prince Edward-Hastings.

I stand here with mixed emotions. The predominant emotion is one of relief—relief that finally this government is acting in a positive way. So I'm happy to be able to speak to Bill 86. I'm relieved that this bill finally made it to debate at second reading, because the history of this government would indicate that they like to introduce bills that they deem to be tough bills, law-and-order bills, but never carry them through.

Before I bring you back three years in time, I'd like to thank a few people.

First of all I'd like to thank my leader, Dalton McGuinty, for his continuing commitment to the children of working families in Ontario; his devotion and dedication to ensuring that we safeguard our children; his continuing encouragement to pursue this bill by encouraging me not to give up in the face of a government that was very slow to react.

I want to thank our justice critic, Michael Bryant, for his guidance, for his legal opinion, for his ongoing commitment to an agenda of law and order that makes sense, that is meaningful, that is workable, that is directed to protecting the working families of Ontario.

I'd like to thank our children's critic, Leona Dombrowsky, for her continuing commitment to the children in this province, for her support of my private member's bill to ensure that children in this province feel safe.

I want to thank also the member for Prince Edward-Hastings—and you'll be hearing from Ernie Parsons a little later on—for his real-life experiences that he shares with our caucus and the people of Ontario on a regular basis. He's going to do that today, and you will see from these real-life experiences why I believe we as Liberals have an opportunity to provide a clear choice for the people of Ontario when it comes to the protection of children.

Imagine this scenario for a second: a 12-year-old at the corner of Elm and John Street in any city. It's 2 o'clock in the morning. A car drives up. The child—we'll call her Mallory—gets in that car. The car is driven by a 27-year-old man. The man fondles the child of 12 years old, encourages her to perform sex acts, demeans her on a continuing basis and then fills her with a drug so that she will have no recourse except to repeat the horrific act which she just took part in.

Imagine, if you were a parent, how terrible that would be. Imagine—to our pages—if you were the brother or sister of that child and you had to live with that family situation, how terrible it would be for you and for your sister. That is a real scenario, my friends. It happens on a daily basis.

Imagine the scenario now where a government is informed that that is happening on a regular basis and chooses to do nothing for three years. Let me bring you back in time. Let me bring you back to May 12, 1998, when I first introduced my private member's bill. As imperfect as you've heard it was today, it was introduced. It received first reading, it received unanimous support on second reading it and was sent to committee. During committee, 50 deputations were made. That means that 50 people spoke either for or against the bill. Some of us who are in the House today were on that committee, so we know that the majority of those deputations were certainly in favour of my private member's bill, as imperfect as you heard it was today.

From those deputations, 32 police forces spoke in favour of the legislation because it provided our police officers with the opportunity to do their job more effectively and it provided police forces across this province with the opportunity to help protect vulnerable children.

One of those deputations was from Mallory, a teenaged prostitute. I'm only going to read a part of what she said to the government committee on Monday, August 17, 1998. Mallory said:

"I didn't prepare a speech ... but I came here for the kids" who are a part of my life. "There were 12-year-olds, when I used to work that corner, standing on the corner," as sad as "it really is...."

"These are little girls who are having grown men who have money and cocaine take over their lives, making them feel wanted. Those are idiots. Those aren't nice people," nice men. I've seen those guys do many horrific things to these young girls. "They have sex with them. They do some pretty disgusting things. They make them feel dirty.... I had a 27-year-old boyfriend when I was but 16.... I've been a cocaine addict since I was basically 15.... I started through prostitution."

She goes on to say that these girls, Mallory being one of them, are being raped by what she refers to as "pedophiles," and I happen to agree with Mallory very much. They are that, and worse. "Those girls, they're selling their bodies and it isn't fair. You've got to help them out."

Mallory goes on to describe how, when she stood at a street corner, a 12-year-old came up beside her and said, "Can I stand with you?" and Mallory said, "No, get out of the way. Find another spot. I have to make a living." The 12-year-old said, "Why?" Mallory said, "Because when a car comes up, they're going to ask me, 'Do you have anyone younger?' and they're going to choose you over me."

## 1650

My friends, that's only a part of what Mallory said on August 17, 1998. I want to congratulate Mallory. Today I phoned Mallory's family to tell them that we would be debating this, and I hope Mallory is watching. I want to congratulate her for her bravery.

I also want to congratulate her father, who also presented before the committee. In part, he said, "My purpose in coming before you today is to share with you my family's struggle to deal with a bright, spirited, much-loved daughter who fell through the growing cracks" of our social safety net "into a shadowy world we scarcely knew existed" but "a few blocks from our home."

He goes on to describe the tragedy of Mallory from the spring of 1997 to the time he presented before the committee. He asked of the committee at the time, "Please, please do something for my daughter and for the many children in Ontario who are being sexually exploited and abused." He said in conclusion to the committee, "I have three other children who have also been horrifically affected by the whole situation and will be scarred for" their lives because of it, "with the confrontations and the tone of ... the rending of the social fabric of our family. But we still love her. They have high spirits" for her. There is still hope. Yes, Alan, there is still hope. Yes, Alan, today your hope is coming closer to a reality, and I thank you as well for your bravery in coming before that committee.

The bill received hearings across the province of Ontario, certainly in Sudbury and in London and in Toronto, and we had clause-by-clause. I must say that the third party made some excellent recommendations for revision to the bill. Certainly our party made some recommendations for revision. The government made but one recommendation. The bill was ready for third and final reading when, if you remember the history of this Legislature, the House prorogued on December 18 in a cloud of controversy over another issue regarding inappropriate behaviour.

So I introduced the same bill on August 26, 1999, but it too received the same fate when the election was called. Soon after the election, I gave the government the opportunity to redeem itself. I reintroduced the bill for a third time on October 26, 1999. It was then known as Bill 6. Guess what? After second reading, they let the bill die.

The fourth introduction of this bill happened again this past April 26, 2001, and it has been sitting on the order table ever since.

I introduced Bill 22, in conjunction with several other bills, which I still believe protect children on an ongoing basis, that haven't been addressed by this government. I understand the role of government, but the most important role of government, in my estimation, is the protection of the people who elect them to this assembly with sound, good laws. I think Bill 22 is a sound, good law. I believe Bill 23, which called for the revoking of a driver's licence, is a sound, good law. Obviously the government thinks that, because they've adapted that into their legislation.

But I also introduced Bill 24, and I want to spend a few moments only on Bill 24, which is An Act to amend the Municipal Act with respect to adult entertainment parlours, to tell the people of Ontario that the Harris government has taken but one small clause from a bill that I believe will protect children more fully than their Bill 86 will. But they've only chosen to adopt one small section of Bill 24.

I would encourage this government to bring in another bill that mirrors what you didn't touch from my Bill 24, because it is wanted by police officers, it's wanted by municipalities, it's wanted by those people who are charged with protecting children, whatever agency you want to refer to. I offer the challenge to the government today. I challenge them to bring in another bill which will protect children, adults, people of the province of Ontario, ensuring that they take what they haven't touched in this Bill 24 and put it in the form of another bill. I can think of all kinds of creative titles if you'd want. Mine was not a creative title; it was a creative way to ensure that people, children, are not sexually exploited or abused in Ontario. I don't think we need trick titles. If we indeed want to rescue people, we put forward good legislation. That will indeed do that, rescue them.

I'd like to talk about the Alberta experience for a little while. The government will know that our bill received second reading before the Alberta legislation received second reading. It would have been interesting to see, to have us be able to quote statistics from the province of Ontario as opposed to having to go to Alberta. But in Alberta, with some modifications to the bill—absolutely, I don't dispute that; I think we could have addressed those at committee, as the NDP did, as the Liberal caucus did, and the government had but one recommendation—they've had 461 referrals from this program. They've had 563 apprehensions from this program. They've had 84 agreements from this program. The youth have ranged in ages from 12 years old to 17 years old, with the average being 15.6 years old. The Alberta legislation and my legislation were very similar, much more similar than the government's legislation is in comparison with Alberta's. So I think Alberta has a proven track record that, with modifications, the bill works and can work. I believe that we could have put this legislation in place three years ago had we not chosen to play partisan politics with this.

So I'm encouraged when I hear the Attorney General of the province of Ontario say we shouldn't play partisan politics when it comes to the protection of children. I believe that Mr Kormos—who was at the hearings—can confirm that several deputations that were made indicated that this should receive quick passage, because we don't want to play partisan politics with something so important. Indeed, our approach as a governing body on both sides of the House should have been three years ago to protect those vulnerable children.

Bill 86 does have some shortcomings. I would hope that it goes to committee. I don't think it needs extensive committee work, but it needs some committee work. This bill needs some alteration in order for it to be the best

possible legislation we can have in Ontario. There is no mention of the licensing provisions for adult entertainment parlours, massage parlours or Internet chat lines. The Attorney General did allude to it, but let me tell you that children as young as 12 work in these establishments, just as they work in the streets. That's why this bill needs some modifications.

#### 1700

Street outreach services provided this government with a survey they did in 1998 with regard to the youth they service. The statistics back then were frightening. Let me review just a few of them with you.

In dealing with child prostitutes, they found that in terms of the place of origin, 53% came from Toronto, 25% came from other cities in Ontario and 10% from the western provinces. The age at which they first left home: 16 years of age and older, 45%; 11 to 15 years of age, 51%—51% of the people they dealt with were between 11 and 15. Life experiences at home: 63% of them had some serious conflicts at home; 45% of those suffered some form of physical abuse; 48% of them had a children's aid society background. A frightening statistic is that 56% of them performed their first trick between the ages of 16 and 18; 41% of them committed their first trick between the ages of 10 and 15. A frightening statistic is that 56% of them had been prostituting themselves for between one and three years; 24% between four and six years.

I mention those statistics because we have young pages in the House today and I want them to value that strong home environment they come from. Make sure you thank your parents, your brothers and sisters, your teachers and anybody you come in contact with who has a positive influence on your life, because these kids obviously didn't have the good fortune that you have.

I mention these statistics because these were 1998 statistics and I know for a fact that the numbers have not gone down. In fact, police forces from across Ontario will tell you there is a rise in teenage prostitution.

I have to commend the government for finally bringing forward some legislation. Certainly, personally, I'm going to be supporting this legislation at second reading because it goes in the right direction with the protection of vulnerable children.

I guess I would offer a caution to the government in the future. I know there are a number of good ideas from individual members on all sides of the House. I would suggest that if in fact the government chooses to take an idea from an opposition member—and there is nothing wrong with that. There is nothing wrong with borrowing a good idea and making it good legislation, but I think there is a problem when you're slow at doing that. This bill should have been in effect in 1998. There was absolutely no reason for this bill not to be in effect other than the fact that it wasn't introduced by a government member. That's a reality the government is going to have to deal with. My caution to the government is, don't make the same mistake again.

I support this bill on second reading. It needs some modification. Indeed, as my Bills 22, 23 and 24 were, it is a step in the right direction.

**Mr Michael Bryant (St Paul's):** It's an honour to follow the member from Sudbury on this particular debate. This is not the first time Rick Bartolucci has been up in the Legislative Assembly of Ontario talking about child prostitution. I'm sure he must feel like this is a telethon, when it comes to this particular legislation. We're hopeful today, right now—aren't we?—that in fact we're going to see the bill pass, but we've been hopeful before. It should go without saying, but I suppose it must be said, that it is critical that this bill not just find its way before this House for second reading debate and votes, but that it go to committee so that some further recommendations that I want to speak about in a moment—that some further action that can be taken is at least considered by the ministry and by the government. Amendments that may be required to make the bill even stronger can be submitted at that time, and perhaps we can actually get this passed. We've certainly been here before, and I hope we don't have to come back again.

I remind the members that this was a bill that was before this House and it died on the order paper when the House prorogued, and of course we're back again with the bill. It's hard to keep up with all the numbers and incarnations that the bill has taken. The member for Sudbury has pointed that out but he has not given up.

I would just like to state the obvious: I think the tributes that have been given to Rick Bartolucci today have been very sincere. I think everybody appreciates the work he's done. It goes without saying that I think the people of Sudbury and the people of this province are well served by this child crusader, Rick Bartolucci.

The point has been raised by the member for Sudbury about the timing of this bill and the delays. You may wonder why we would dwell on this. It is because we cannot have any further delays. Perhaps the government wants to have us shrug our shoulders and say, "Better late than never." But as has been pointed out, based on the Attorney General's own numbers, had this bill been passed expeditiously, had the Bartolucci private member's bill moved beyond committee and gone before this House for third reading debate and passed and become the law of the land, if the Alberta experience is any indication, we could have saved and rescued more than 1,000 children, based on the Alberta numbers. I could do the math, and my math is poor, but you would have saved and rescued more than 1,000 children. Perhaps we should have those 1,000 children, those 1,000 lives, in mind as we move forward with this bill and with this debate and get it to committee and get it before the House for third reading and get it passed.

I suppose I'm delivering this message not only to the Attorney General and members of the House but particularly to the House leader. There are a number of bills that, when the clock is ticking, we know an injustice is served. This is one bill which, again using the Attorney General's own words, is so important that we have to

make sure this one doesn't become expendable, as it has in the past, and if it were not expendable and if it were so important—I think the Attorney General said during debate that it may be the most important matter of business we have ever had before this House. If that was the case, then why didn't it pass in 1998, when it was first introduced? I hope those words of the government are heeded in that regard.

The Attorney General also made reference to what I thought were quite interesting comments about these children going underground. It was interesting for the Attorney General to say that, because the general approach of this government, at least as indicated under the Safe Streets Act, is to push the problem under the rug and throw many kids into the revolving door of the criminal justice system. By the way, I see a lot more squeegee kids on the streets these days. I hope I'm wrong, but I have seen more in the last few weeks than I had seen in the last few months. I hope there's a recognition by this government, and I say this with all sincerity, that we all understand there are people out there who are part of this underground. I almost guarantee you they don't vote; they don't have a fixed residence. They have about four means of earning income, and none of us in this House would approve of them, but for these people it is the way they are earning their income and we ought not to stick our heads into the sand. It's from the drug trade or from the sex trade, it's from petty panhandling and squeegeeing, and it's from theft. As a government, and I can tell you on behalf of the official opposition, we have to do everything we can to enforce the rule of law and let everybody know—yes—that everybody has to obey the law.

1710

At the same time, we also have to recognize that today's squeegee kid may be tomorrow's child prostitute. In this regard, it's stunning—at least from my experience in talking to those who work on the street as social workers, or otherwise, with these kids—the extent to which the sex trade and the drug trade is linked. I don't know if pimps were crackheads first or crackheads were pimps first—I don't know which came before which—but this is a scourge of the worst kind that strikes at the heart of our community. Why? Because these are our children; these are our future. It is incumbent upon us to try and rescue them if we can. Yes, we have laws that must be obeyed, but we have to try and rescue them. The purpose of this bill is to do just that. Surely it is an obligation of government to reach out to those most vulnerable and, in the case of child prostitutes—frankly, living in hell—to pull them out of that. That's the purpose behind this law and for that reason alone it's obviously an important piece of legislation that we want to move through as quickly as possible.

The city that I'm honoured to be a representative in, Toronto, is a place of origin for 53% of the prostitutes in this country. Child prostitution—Rick Bartolucci said this before—is not Julia Roberts in *Pretty Woman*. Pimps control child prostitutes through battering and drugs and

through alcohol. Child prostitutes are victims of AIDS, of sexually transmitted diseases. They're prey for muggers and rapists and murderers. They've left our society, and it's our job, through this legislation, to give some people out there the tools to bring them back in. They carry the stigma of being prostitutes, the stigma of being outsiders, and I'm thankful to be part of a debate of a bill that's going to bring them back in, I hope, and if the Alberta experience is any indication, bring thousands back into the world that we get to live in.

Private bill imperfections: there's been some discussion of that on the government's side. I would just say, very briefly, that's the purpose of committee. We had the Bartolucci bill before committee, and I would hope with that bill, if that's any experience and if we're going to remember the thousand lives that might have been saved but for the fact that that bill did not forward, we recognize that there are some private member's bills that ought not to be subject to this ongoing political game where you let it pass second reading, let it die and then the government brings it in, because in some cases, and this bill is one of them, that means that lives are lost.

I'd like to make reference to a report from CAVEAT—everybody knows CAVEAT, the victims' group—Vision: Action Today For a Safer Tomorrow. This report was modelled on CAVEAT's nationally acclaimed safety net conference, and in partnership with the Office for Victims of Crime, CAVEAT compiled a final report that was put out this year for discussion on action today with reference to youth strategies and otherwise. I was very privileged and grateful to be a part of a round table discussion that took a day and a half on January 18 of this year. In it we discussed this particular bill. Of course, at the time, Bill 86 was Bill 176, I guess it was. At the time, all the members at the round table, on the recommendation of CAVEAT, were saying, "Hurry, hurry, hurry," with 176. If we'd only known that it was going to die on the books, as Priscilla de Villiers, the president of CAVEAT, said. So the question should not be whether we implement these recommendations but simply when.

By the way, CAVEAT, in its final report, refers to Rick Bartolucci as a children's crusader. These are words that I used, so I'm obviously plagiarizing CAVEAT, as ever.

The first recommendation I'd like to talk about—earlier I made reference to it, and I want to move on to the next. The recommendation from CAVEAT and the Office for Victims of Crime, and this came out of our discussion, was that the government move expeditiously to enact Bill 176. I've spoken to that; I'll move on.

Second, the recommendation was made that the Municipal Amendment Act (Adult Entertainment Parlours), 2000, Bill 146, be brought forward as a companion piece to the bill we're debating today. Again, I think the member for Sudbury made reference to that.

We then talked about the way in which we can try and hit sex trade entrepreneurs where it hurts them the most, that being the pocketbook. Then the following recom-

mendations came forward from that discussion, in particular, in the words of the report, "that the provincial government introduce legislation to amend the Liquor Licence Act to allow for the revocation of a licence to serve liquor where a sex trade entrepreneur has had his adult entertainment parlour licence revoked in relation to that property." I think it's self-evident. The point here is to provide commercial disincentives for a trade that, sadly, is partly driven by enormous greed.

Another recommendation—and, again, I think it's appropriate to read these into the record; I'm not reading them word for word but trying to paraphrase them—is that the government work with the appropriate community stakeholders to "identify the resources, facilities and services required to respond to these children (both during time spent in a secure facility and community aftercare)," and capture those recommendations in regulation by the Lieutenant Governor in Council as set out in section 20 of this bill.

The simple purpose of that is to ensure that this bill is not a dead letter, that in fact we are providing the resources to permit the legal tools to be utilized. If this is just going to sit there and not be used, then it would be the greatest tragedy, giving people the false comfort that something was done about child prostitution when in fact nothing was being done.

Recommendation 2-5 was that resources and services required to respond to the age group particularly at risk, that is, 15-, 16- and 17-year-olds—that the government actively move forward to try and prevent this activity, prevent people from being pulled into the ring of the sex trade, both before and once they are in, through community aftercare, and further, that "these resources and services"—in the words of CAVEAT—"should be strategically and equitably located throughout the province so as to respond to all children at risk in the sex trade."

We then discussed the fact that this bill is going to be applied in communities across the province. This is not an issue that has boundaries. While I've referred to the fact that there are obviously enormous child prostitution figures in the city of Toronto—you know, somebody who may run away from home in Sudbury may find their way down to Toronto—it may start in another city outside of Toronto. There are communities out there that shouldn't have to shoulder the burden, if you like, for fulfilling an obligation placed upon them by the provincial government. In particular, the finding of CAVEAT was that "individual municipal police agencies shouldn't be expected to pick up the tab for things happening beyond their geographical borders. The cost must be borne in such a way as to ensure that no child working in the sex trade in this province will be overlooked."

1720

Therefore, the recommendation was—and it goes without saying that I am strongly supporting these recommendations, not just because I had an opportunity to participate in the round table, but above and beyond that. Obviously, a lot of work happened before that round table that CAVEAT undertook and the Office for Victims

of Crime undertook, which makes these recommendations carry an enormous amount of force. I support them wholeheartedly.

The recommendation was that a provincial child sexual exploitation unit comprised of police officers from the Toronto Police Service and the OPP and assorted regional police services be created. I urge the government to act on this now.

Lastly—and I'm not going to go through the entire set of recommendations—that the child exploitation unit be followed up in turn with the appropriate resources and specialties being invested, if you like, in the Attorney General's office, through prosecutors; in particular, to move forward in conjunction with then Bills 146 and 176, that this child exploitation unit have all child exploitation cases prosecuted either by the existing specialized child abuse prosecution unit or a new specialized unit, the thinking being, "Why on earth should we try to reinvent the wheel in each case when we do have people out there who are experts in the area?"

I'm not going to go through the whole report; I'll stop there. I would recommend that obviously the government and everybody in Ontario review the many recommendations in this report. For those of you who are Internet-inclined and reading Hansard, you can find it on CAVEAT's Web site and download it from there.

I will conclude my comments by saying congratulations again to the member from Sudbury and to all members in this House who have been fighting hard to get this passed. Let's hope this actually becomes the law of the land sooner rather than later.

**Mr Ernie Parsons (Prince Edward-Hastings):**

When I first started to serve as a board member of CAS 25 years ago, there was no such thing as sexual abuse of children; at least that's what we thought. When it did happen, everything stopped in the office, because it was so rare. What we now know is that we didn't detect it, people didn't report it. We, civilized society, couldn't believe that was actually going on.

We've gone from one incident in a month to several a day; that has been the change. Are people behaving worse than 25 years ago? No, I think there's better reporting happening on it.

My wife and family and I have fostered for about 15 years, and we have found that a very gratifying experience for all of us but also a very difficult experience because it has made us aware of how part of society lives and what part of society does to children. It has at times made us cynical, because at times there's a very thin veneer on our humanity, and when you remove that veneer, it is not very pretty in some cases. So it has been an unpleasant and an extremely pleasant experience at the same time.

I also would add my compliments to the member from Sudbury for what is probably best called the Bartolucci bill. I appreciate this government putting this one forward. I quite frankly would have preferred that they had gone with the member from Sudbury's private bill, because that private member's bill was a product of

consultation and refinement. Three years of work went into it to make it right.

This moves us back to square one. We're still going in the right direction, but the government has taken a step back by not benefiting from what has happened to this stage in the last three years.

I do struggle a little bit with this government suddenly becoming the guardian of children who have been sexually abused. If we look at this government's treatment of people who have been abused in the institutions in this province, it has been dismal—extremely, extremely uncompassionate treatment of those victims.

On the government side, the member from Ottawa West has attempted to get a bill through asking for an inquiry into an area where the community believes there has been abuse. Now, if there has been abuse and allegations against someone, the best thing that can happen, from that person's viewpoint and the community's viewpoint, is to hold an inquiry and clear the air, and yet for some reason that's not happening. So there are potential predators out there who continue to enjoy immunity. This government says it wants to protect children, yet we've not seen it want to protect children in the Cornwall area.

The sexual abuse of children is not a simple matter to discuss; in fact, it's a matter we as a society don't want to. There is a perception that the abuse is often done by strangers, and it is on occasion. The exploitation may be done by friends, and it is on occasion. We've seen this government introduce a bill to deal with sexual abuse and exploitation by teachers. Do teachers ever abuse? Yes. But I would suggest to you that there has been far more detection and reporting of abuse by teachers than by any other profession. Significant numbers of the reports that come into children's aid societies come from teachers who go out of their way to determine why there's a problem in a child's life and to report it. Rather than hound the teachers in requiring a teacher with 30 years' experience to have a police check, we should be working with the teachers and commending them and educating them on the detection of child abuse. They spend a considerable amount of time with our children and are front-line workers in that area and deserve the recognition for it.

Incredibly, unfortunately, unbelievably, most sexual abuse originates with a family member or caregiver. That's something we don't really want to understand or even talk about.

When we first started to foster, we said, "We will not foster children who have been sexually abused," because we did not want our own children, our birth children, our adopted children, to be exposed to what these victims had been exposed to. Ironically, the majority of children we have fostered have been sexually abused, and we have learned that the children don't want to talk about it. The children recognize that something that happened in their life is wrong and it's not an experience they want to discuss with anyone. It has altered their very fabric, but it is not something they want to talk about.

Statistics tell us that children who are sexually abused have a far increased possibility of being involved in the

sex trade. That is because, I think, they have lost their childhood. There are all kinds of physical and emotional things that happen to these children, but in some sense I think the worst thing is that their childhood is removed forever. You cannot unremember that experience, and so those children, no matter what their age, will never be able to experience what we believe is a normal childhood, and that causes them in too many cases to go down a road in life that's going to be very difficult and unproductive for them.

We have a lot of conversation with other foster parents; we have experience with our own. We are aware of children as young as eight months—and people tend to think I mean eight years, but eight months—who have been sexually abused. We don't understand that. I don't understand that. An animal wouldn't do that to their children, but we have humans doing that to their children. We have worked with children of four and five who have been involved in video productions. Every modern technology all too often is used first of all by the pornographic industry, whether it be the Internet, whether it be video cameras. Video cameras enable the easy production of films that are indescribably evil. We have worked with children of four who have had that. We are familiar with children whose parents have rented them out to friends and to others, parents who have decided that their own needs are paramount and put their needs ahead of their child's needs. These are the children we're talking about protecting in this bill.

We have worked with teenagers who, when you talk to them, you cannot comprehend where their sense of right and wrong came from. But as each of us prides ourselves on parents who have instilled in us what is right and what is the correct and ethical thing to do, if children from birth are raised in an environment that has the wrong ethics, their reaction is to latch on and hold as strong to those wrong ethics as to right ethics.

1730

This bill appears to be written by a lawyer, where I would suggest there would have been advantages to talk to children who have been victims and front-line workers who work with them. This bill talks about taking children and moving them to a place of safety, but who other than this government would call the place of safety a place of confinement and that their stay there will be a "period of confinement," that the victim will be confined? The language in this bill disturbs me a great deal.

We need to think about these actions from the viewpoint of the child. As things stand in Ontario, if a child is a victim in a home, whether it is a natural parent or whether it is a caregiver of another sort, they invariably say to the child, "If anyone ever finds out, if you ever tell anyone what you're doing, they'll come and take you away." You know, that's exactly what happens. If a child discloses to a teacher, the police and children's aid come and take the child away. The predator gets to stay in the house with all their furniture and everything, and the child is removed to a house of strangers, maybe at 2 or 3 o'clock in the morning. Try to put yourself into that

child's mind on who is being punished. To the child, they're being punished. That child is taken out and leaves all of their clothes, all of their personal possessions. They leave family pets. They may leave brothers and sisters, but they leave their parents. In most cases, they will never see the family pet and they will never see their possessions again. From the child's viewpoint, I can assure you they feel they've been victimized again. We believe we've saved them from the right situation, and we have, but we've handled it in a manner such that we victimize them again. The predator, he or she, gets to stay in the house and enjoy all the fruits that are in that house, while the child is taken away.

We have fostered a large number of children who have had some pretty horrible things done to them, but we've never fostered a child who hasn't loved the parent, even the parent who's done those things to them. Not once have we fostered a child who has hated their parent for what they've done. The child has tried to excuse, has rationalized, has said, "I deserved it," or "She deserved it. She didn't do the dishes, so she deserved it." The children will rationalize a reason to believe that their parents have done the right thing and are good parents, even when they're not.

These children are taken and put in a place of safety. I agree with that. The bill as proposed from the member for Sudbury said that they would be there for 72 hours. The bill proposed from this government is 30 days. I do not believe you should go in and remove children from a house unless you have absolute evidence that it's going on. I would suggest that evidence can be compiled and put together in 72 hours. You be an eight-year-old and yanked out of the house for 30 days to live with strangers. We foster. We know a lot of foster parents. I do not know a bad foster home, but from the children's viewpoint, they've been sentenced to a foster home and they've been sentenced to a place of safety. I would suggest 72 hours is far more humane for the child than 30 days. The priority is either to confirm it happened or return that child to that environment. I believe 72 hours is a much more humane approach. It's too bad we couldn't have built on that other bill.

What happens from the child's viewpoint? The child has to go to court. First of all, the child may go for a medical. We hear mention on the government side of the medical services that are available. There are some outstanding people working in the medical system who are trained to work with these child victims, but there are others who in fact, from the child's viewpoint, commit another assault on them—not a pleasant experience. Not many of us enjoy going to a doctor, and I can assure you that for a child who's been yanked out of a place and taken to a hospital, it's a pretty cold, scary experience. We need far better services to deal with these child victims when they're at the medical examination.

The court system itself is extremely frustrating and nerve-racking for children. If in fact it is a parent who has committed this offence, there will also rightfully be a trial for that parent. It is extremely difficult for these

children to sit in a courtroom and testify against their parent, whether it be a mother or father. In our experience, we have seen abuse by both. The court systems are struggling to deal with that. We have talked to children who have refused to testify because their hope is to go back home. They want to do what they have to do to bring their family fabric back together, even though you and I know it's not in their best interests. I agree that they should not go home, but the children want to return home. We need to allow the court system to recognize that these children are not comfortable, are not prepared to testify against a parent, because they want the family to get better and they want to go back home.

The court systems still have a ways to go. I can give you some outstanding examples of judges and crown attorneys in this province who have modified the system to deal with it. There are still loopholes. I'm aware of cases where the predator in fact fired the lawyer and handled his own case, forcing the victim to be questioned by the predator; and the victim refused to answer the questions, refused to testify. We still have a long way to go to make that system work so that the children can testify in comfort.

When all of this is going on, what that child needs is counselling and advice, and that does not exist in this province. The services are not there. These victims may wait a year before they get their first appointment to talk to a counsellor about what they've experienced.

As I go back to the beginning, it is the tearing away of the childhood of that child. We need to strive as much as we can to put that child back in the position they were in beforehand. And that quite frankly needs better counselling than most foster parents, than most caregivers, can provide. There is an urgent, vital need for increased mental health services for children in this province.

I look at this bill—and, again, I have a great deal of respect for lawyers, but I would be delighted if a group of victims could sit down and read through it.

“Notice to child.

“(2) The society shall ensure that the child is informed in writing before the show cause hearing of,

“(a) the reasons for the apprehension;

“(b) the time and place” etc.

We're talking about victims of four and five years old. We need advocates within the legal system that may be lawyers but talk as child care workers. These children need an advocate to work them through the system. What we're seeing happen in this province, if I read the paper correctly, is that a large number of lawyers are saying that they will no longer serve as children's lawyers because this government has not increased the funding in years and years and years. What they're paying now per hour won't even cover office expenses. So a bill that sounds good works only if the resources are going to be in place to make it happen. This government has no track record of making the resources available for these children.

I tell you again and again that there needs to be a viewpoint presented in this bill that represents the

children. When we look at the schools for the deaf in this province and the abuse that has taken place there—absolutely nothing. I know this government likes to talk money. These children want to become productive citizens in Ontario. They do not want to follow the sex trade.

1740

There is a certain craziness in our experiences in that the children know it's wrong and the adults don't. I don't understand that. When a four-year-old explains to us what is wrong—they know what the parent did is wrong and the parent doesn't know it's wrong—there is something sadly wrong with our society. It clearly needs a bill.

I am pleased to support this bill because I believe that when it gets to committee, there will be an opportunity to make it into a good bill. There's an excellent foundation here; it's not inherently bad. But I believe it needs to go to public hearings. It needs to go to public consultation so that a bill is produced that doesn't victimize victims but helps to cure victims.

**The Acting Speaker:** Comments and questions?

**Mr Peter Kormos (Niagara Centre):** I will be speaking to this bill upon the completion of comments and questions. I am going to be using all of the one hour that's available to me, but I want to make it very clear that there are other New Democrats who want to address the bill as well. New Democrats have expressed great concern about the issue that the bill addresses. In fact, New Democrats were very involved in the private member's bill that went to committee and were eager to participate in that committee process and the public process around the bill.

At the same time, I want you to know that New Democrats here at Queen's Park have carefully read this bill and analyzed and debated it. We are not uncritical of the bill. We have already made it quite clear, in response to the introduction of this bill, that on second reading we would not be opposing it, that we look forward to it going to committee. But I'm going to tell you now that there are issues around the bill that I and my colleagues want to address in a critical way. There are things we're going to say, I suggest to you, about the bill and about the issues that the bill relates to that may not be very popular in the context of the incredible tragedy of young people being assaulted, being victimized as sex workers, as prostitutes, and as exotic dancers, if that's not the inappropriate word in reference to young women and men working in adult entertainment parlours.

We're looking forward to the debate. It obviously won't be until tomorrow when the bill is called again that the bulk of my comments will be made. I tell you as well that not all of them will be received with 100% enthusiasm but—

**The Acting Speaker:** The member's time has expired. Comments and questions?

**Mr Tilson:** I would like to comment with respect to the three members of the Liberal Party who spoke with respect to this bill.

I'm pleased that the New Democratic Party will be supporting this bill. I understand they will have some comments on it, because it is complicated. It's complicated legally, it's complicated socially. We found that out. This has been discussed in the past.

The Liberals spent much time talking about who wrote the bill. Was it a social worker? Was it a lawyer? Is Mr Bartolucci's bill better than the government's bill? All these are fine questions. The problem is we've got social issues that go right across this province. We could all tell stories from our own ridings where there are runaway children. They've run away from their homes for different reasons. Maybe it's abuse, maybe it's something else, and that's yet a whole other issue that needs to be dealt with.

The fact is that we've got a complicated issue where children have been forced into the sex trade and all the different types of sordid things that some of us have talked about in the debates that they are literally forced into. So we are not talking about people who are committing crimes. We're talking about victims, and that's what these children are.

There is no question that in our presentation to the House we've talked about a myriad of services that I think the state, the government of Ontario, is going to have to look at. We've talked about drug and alcohol counselling. In other words, once these children are detained—to use the words of the member from Prince Edward-Hastings; I believe that's his riding—we do have to talk about a number of things. Children who have drug and alcohol counselling, we need to deal with that. We've got to talk about the specialized legal services such as the witness protection program. We've got to talk about mental health services. All of these things I know will come forward in the debates and the committee hearings as they proceed.

**Mr Richard Patten (Ottawa Centre):** I'm delighted to make a few comments on the previous speaker from Sudbury, who has initiated a lot of the work and over years has put forward passionately, clearly and convincingly the need for this kind of legislation. So I'm delighted to see that the government in fact acknowledges that and is picking this up and, I hope, will listen very carefully to what has been said by the member from St Paul's and the member from Prince Edward-Hastings, who, I thought, spoke with conviction, from his heart and from his experience.

I was fortunate enough to spend almost five years working for Children's Hospital as the president of a foundation. It would break your heart, believe me, to see some of the situations in which some youngsters find themselves. I want to underline what the member from Prince Edward-Hastings said: that the little kids are still there to protect their abusers, because often it is a relative, an uncle or a parent, or an older brother or sister, whatever it may be, because their little hearts are looking for harmony. They don't like discord. They tend to think that they did something wrong because some parent or some adult has told them, "You're a bad boy" or,

"You're a bad little girl" or whatever it may be. So this bill is extremely important. I hope to speak to this when it comes forward again. I believe it's the kind of issue that crosses all party lines and that it is incumbent upon us as adults to help protect children. I'm sure that's what we will do at the end of the day, and I hope we do it in the very finest tradition of this House.

**Ms Marilyn Churley (Toronto-Danforth):** I'll be speaking further to this bill when it comes up for debate again. I don't think it's any surprise to this House or anybody watching—everybody's aware by now—that I, along with many members of this House, have a particular interest in this issue. I was pleased to hear three Liberal members stand today and talk about their concern. I congratulate all of the members who are working together to try to not only help these children—in my view, what we have to do is work together to try to eradicate child prostitution not just here, but across the world.

When you read the heartbreaking stories of the impact child prostitution has on those children who are either forced into prostitution, or—because they are trying to survive in situations where they are starving and their families are starving—feel forced into prostitution to be able to eat and feed their families, that is the reality, here and in other parts of the world. This is an opportunity for us to work together to try to deal with this, not just in a piecemeal fashion, but to look at the conditions that are created that force children into prostitution; to look at what we need to do, the kinds of programs that we need to put in place to help these children. Again, I would say, not just here in Ontario, but let us open our hearts and our minds to the conditions in the world that create the situations that we're talking about here today.

**The Acting Speaker:** The member's time has expired. The member for Sudbury has two minutes to respond.

**Mr Bartolucci:** I'd like to thank all the members who took part in the discussion today over the course of the last hour and eight minutes. Thank you very much for the input we've received. It's very, very important to understand that this truly is a non-partisan political issue and it has to be addressed as such. Let's not make the mistakes of the past again. Let's in fact work in a non-partisan way to quickly get this bill to committee, to make the modifications that we on this side of the House believe it needs so it will become a workable, meaningful bill, a bill we can all be committed to.

**1750**

It disturbs me, when I remember the government in the 2000 budget committing \$8 million to work with Save the Children Canada, to find out that nothing happened on the part of the government with the exception of some planning meetings. It never moved beyond the planning stage. For too long, too many children have been sexually exploited and abused. The time has come for that to stop. You certainly have the commitment of the Liberal caucus today that we will work with the government to make the bill a stronger bill, a more meaningful bill, a workable bill and a practical bill, but a

bill that understands that those who choose to exploit children through sex deserve to be punished in a meaningful way and in a severe way. One part of that punishment is the revoking of the driver's licence. But I say to the government that we must be much tougher on pimps and johns than this bill spells out. I know when it gets to committee, we will have full debate on those ideas which need recommendations.

**The Acting Speaker:** At about 20 to five, this person forgot that there should be comments and questions after the government's leadoff. I will think of a proper punishment for myself, but I won't tell anybody what it is. But I'd like to rectify that, so we will go back and pretend that the member for Barrie-Simcoe-Bradford has just finished the government's hour and we will have comments and questions. We'll start with, of course, the Liberal caucus.

**Mr David Ramsay (Timiskaming-Cochrane):** Thank you very much for correcting that previous error. It gives more of us an opportunity to stand in our place and speak in support of this bill. I think I'd like to start, anyway, on a bit of a personal note and re-thank the member for Sudbury, Rick Bartolucci, who brought this concern to all of our attention, for working very, very hard at promoting the goals of this bill to protect children from sexual exploitation and for working very diligently in showing the value that, when you get elected here—and even if you don't make it to be on the government side, even as an opposition member, if you work very hard and pursue something you feel very strongly about, you can make things happen. You can work co-operatively with your government colleagues. Maybe sometimes you've got to do a little bit of hard cajoling and some convincing in the beginning, but when you've got a good, sound idea that would make good, sound law, a government of any stripe would listen to that and work with the opposition of any stripe and come together to form a bill that really has to happen and is long overdue in this province.

I hope the government members are listening to the member from Sudbury. He still sees this as a co-operative effort, and we would hope the government members in that committee would work co-operatively among all the members in the committee to do an even better job, to put all our ideas together to make this the very best bill and the very best law we could make it in this province in order to protect our children.

I think all of us in this House have worked in various areas to protect children, and certainly protecting children from sexual exploitation has got to be a very laudable goal.

**The Acting Speaker:** The member's time has expired. The Chair recognizes the member for—

**Mr Kormos:** Down there in Niagara. The heart of the Niagara region.

**The Acting Speaker:** Niagara Centre.

**Mr Kormos:** I appreciate the opportunity given to us by the Speaker for some brief questions and, I suppose more significantly, comments. I have to correct myself

again, I suppose, because it's not going to be today that I'm commencing my comments on this; it will probably be tomorrow. As we understand, the bill is going to be called again.

I understand the call for speedy passage of the bill. I understand that. But at the same time, let's understand that that tendency for speedy passage has become increasingly prevalent around here. I'm telling you, and I ask the members of this assembly to bear with me, that this bill warrants some serious discussion, and I'm not talking about partisan debate, please. I think people know when I'm going to be partisan. I'll make the indication loud and clear. But I'm saying that the bill purports to address a very serious social ill, and I suggest to you it goes far beyond—and this is where the debate has to spread—the mere phenomenon of children and very young people prostituting themselves and being victimized by predators out there on the streets of Toronto—yes, not only Toronto but across the province.

Ms Churley points out the phenomenon of sex tourism. There are places in the world that are being promoted, in however clandestine a way, as a destination of choice for people who want to exploit, assault and sexually abuse youngsters. The number of those places is increasing. They're no longer just the Third World. But that bears some considerable comment as well as to why and who is—

**The Acting Speaker:** The member's time has expired. The member for Bramalea-Gore-Malton-Springdale.

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** It is an honour for me to speak on this bill. It's a very important bill, and I'm very pleased that the Attorney General brought it forward. Even though every member is saying that we want to do our due diligence, it's a very important bill and we certainly want to bring it to a speedy implementation.

I know we are looking forward to some kind of hearings on it. I believe we must look at the root cause of this social evil, where children are pushed into prostitution. I believe very much, like most of the members believe and most of the public believes, that children should be allowed to enjoy their childhood. All these people who exploit them, the pimps or the johns or whatever you want to call them, certainly should be dealt with by the full force of the law.

Like I said, in the hearings we want to look at the root cause: kids running away and coming to the big cities, not having—I don't know whether you need more social programs, I do not have the answers, but we certainly want to have laws that are strong enough to make sure there's a deterrent, that these things are not allowed to happen. We should perhaps have more—I don't know—social programs, more schooling, more whatever. Those children should be in schools, enjoying their careers rather than getting into this program.

I certainly want to support this bill. I know that everybody on this side of the House, and I believe everybody on the other side of the House, is going to be sup-

porting it as well. It's indeed an honour for me to speak on this. I'm looking forward to the debate.

**Mr Michael Gravelle (Thunder Bay-Superior North):** Like many members of the Legislature, I think the opportunity we have to comment on this important piece of legislation is something we want to take advantage of. If I may, I want to just once again thank Rick Bartolucci, our member from Sudbury, who has been absolutely instrumental in making this legislation come forward. Certainly he has been working for many, many years to bring this issue forward. There are many amendments that he thinks must be brought forward. I think it's becoming very clear to all of us that indeed we want to pursue this in the most serious way, but it's crucial that we have public hearings attached to this piece of legislation. Everyone who has spoken has acknowledged the seriousness of it.

I was impressed listening to my colleagues previously, in particular Mr Parsons from Prince Edward-Hastings in terms of his personal experience in being a foster parent and his understanding of how children really are, and obviously the member from St Paul's as well, who spoke as part of our leadoff. I think it's terribly important that legislation such as this be properly put forward. There need to be amendments; there needs to be an understanding.

My colleague Mr Bartolucci is the one who has been fighting this battle, working with the right people from the very beginning. I know he worked with the authorities in Sudbury and has the kind of insight that is going to very much help us make sure this legislation is properly put forward.

All I can tell you is that this is an issue that makes us all sit back and think very seriously about how our society is formed and how we act in our society. It's hard to imagine that there is a situation as common as this where children are sexually exploited. It's something we like to imagine doesn't really happen, but the truth is it

does happen. I think it's extraordinarily important that we do the right thing and bring forward legislation that really is going to be helpful and make a real difference.

I would implore the government to listen to my colleague from Sudbury and those who want to have public hearings and those who want to bring the appropriate amendments forward.

**The Acting Speaker:** The member for Dufferin-Peel-Wellington-Grey has two minutes to respond.

**Mr Tilson:** I would like to respond on behalf of the Attorney General and the member from Barrie-Simcoe-Bradford to the comments that were made by the various members from the opposition side. Unless I've misinterpreted what is being said, it now appears there is going to be unanimity as far as this bill is concerned, although many members have some concerns with some of the specifics in the bill, and these will be revealed as the debate unfolds.

I think we are all concerned with the issue of sexual exploitation of children, and that's basically what we're trying to resolve in this bill. The bill is essentially the same as the Alberta legislation, although there are some differences which have been indicated, but again, we're talking about the issue of children in need and how we need to break them away from the people who use and exploit them. That's what we're trying to do, to get at the predators—the johns and the pimps—who are after these young children.

As the opening volley from the government members with respect to the debate, I look forward to hearing more comments from all sides of the House, for and against this bill, but I'm pleased that there appears to be unanimity as to the general principles of this bill.

**The Acting Speaker:** I thank you for your indulgence. It being past 6 of the clock, this House stands adjourned until 1:30 tomorrow.

*The House adjourned at 1803.*

## ERRATA

No.	Page	Column	Line
39	2063	1	37
39	2070	2	22

### Should read:

purpose, of strength of heart and of spirit.

will add no deeper darkness to a night already devoid

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Ancaster-Dundas-	McMeekin, Ted (L)	Hamilton Mountain	Bountrogianni, Marie (L)
Flamborough-Aldershot		Hamilton West / -Ouest	Christopherson, David (ND)
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Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kingston et les îles	
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		Beaches-East York	Vacant

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Galt, Steve Gilchrist, John Hastings,  
John R. O'Toole, Jerry J. Ouellette, Ernie Parsons  
Clerk / Greffière: Tonia Grannum

# CONTENTS

Tuesday 25 September 2001

## MEMBERS' STATEMENTS

<b>Home care</b>	
Mr Patten.....	2083
<b>Royal Canadian Legion</b>	
Mr Galt.....	2083
<b>Ernie Coombs</b>	
Mrs Dombrowsky.....	2083
<b>Hamilton temple</b>	
Mr Christopherson .....	2084
<b>Violence Prevention Week</b>	
Mrs Munro .....	2084
<b>Hate crimes</b>	
Mr Agostino .....	2084
<b>Attack on the United States</b>	
Mr Gill .....	2084
<b>Services for the hearing-impaired</b>	
Mr Parsons .....	2085
<b>Ontario Agriculture Week</b>	
Mr Johnson.....	2085

## REPORTS BY COMMITTEES

<b>Standing committee on public accounts</b>	
Mr Gerretsen .....	2086
Debate adjourned .....	2086
Mr Gerretsen .....	2086
Debate adjourned .....	2086

## FIRST READINGS

<b>Puppy Mill Ban and Animal Cruelty Prevention Act, 2001, Bill 100,</b>	
<i>Mr Colle</i>	
Agreed to.....	2086
Mr Colle .....	2086

## MOTIONS

<b>Committee membership</b>	
Mrs Ecker.....	2086
Agreed to.....	2086
<b>Private members' public business</b>	
Mrs Ecker.....	2087
Agreed to.....	2087

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>Government's agenda</b>	
Mr Harris.....	2087
Mr McGuinty .....	2089
Mr Hampton.....	2089

## ORAL QUESTIONS

<b>Ontario economy</b>	
Mr McGuinty.....	2090
Mr Flaherty.....	2090
<b>Ipperwash Provincial Park</b>	
Mr McGuinty.....	2091
Mr Harris .....	2091, 2092
Mr Hampton .....	2092
Mr Phillips.....	2093
Mr Young .....	2094
<b>Competitive electricity market</b>	
Mr Hampton .....	2093
Mr Harris .....	2093
<b>Emergency measures</b>	
Mr Dunlop .....	2094
Mr Turnbull .....	2094
Mr McGuinty.....	2094
Mr Harris .....	2095
<b>Attack on the United States</b>	
Mr Miller .....	2095
Mr Newman.....	2095
<b>Rent regulation</b>	
Mr Marchese.....	2096
Mr Harris .....	2096
<b>Election in Vaughan-King-Aurora</b>	
Mr Sorbara.....	2096
Mr Harris .....	2096
<b>Border security</b>	
Mr O'Toole.....	2097
Mr Runciman.....	2097
<b>Home care</b>	
Mrs Pupatello.....	2098
Mr Harris .....	2098
<b>Immigrant and refugee services</b>	
Mrs Marland .....	2099
Mr Jackson.....	2099
<b>Northern transportation</b>	
Mr Bisson .....	2099
Mr Newman.....	2099

## PETITIONS

<b>Social services</b>	
Mr Duncan.....	2099
<b>OHIP services</b>	
Mr Christopherson.....	2100
Mr Bisson .....	2102
<b>Lord's Prayer</b>	
Mr O'Toole.....	2100
Mr Tascona.....	2101
Mrs Munro .....	2102
<b>Nurses</b>	
Mr Conway .....	2100

## Personal needs allowance

Mr Christopherson .....	2101
-------------------------	------

## Home care

Mr Bradley .....	2101
Mr Brown.....	2102

## Occupational health and safety

Mr Christopherson .....	2101
-------------------------	------

## SECOND READINGS

### Rescuing Children from Sexual

<b>Exploitation Act, 2001, Bill 86,</b>	
<i>Mr Young</i>	
Mr Young.....	2103
Mr Tilson .....	2107, 2118, 2120
Mr Tascona .....	2108
Mr Bartolucci.....	2110, 2118
Mr Bryant.....	2113
Mr Parsons .....	2115
Mr Kormos.....	2117, 2119
Mr Patten.....	2118
Ms Churley.....	2118
Mr Ramsay .....	2119
Mr Gill .....	2119
Mr Gravelle .....	2120
Debate deemed adjourned.....	2120

## OTHER BUSINESS

### Legislative interns

The Speaker.....	2085
------------------	------

### Legislative pages

The Speaker.....	2085
------------------	------

<b>Errata</b> .....	2120
---------------------	------

## TABLE DES MATIÈRES

Mardi 25 septembre 2001

## PREMIÈRE LECTURE

<b>Loi de 2001 sur l'interdiction des usines à chiots et la protection des animaux, projet de loi 100, M. Colle</b>	
Adoptée .....	2086

## DEUXIÈME LECTURE

<b>Loi de 2001 sur la délivrance des enfants de l'exploitation sexuelle, projet de loi 86, M. Young</b>	
Débat présumé ajourné.....	2120

201  
1  
223

Government  
Publications



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## Legislative Assembly of Ontario

Second Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Wednesday 26 September 2001

Mercredi 26 septembre 2001

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
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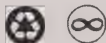
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 26 September 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 26 septembre 2001

*The House met at 1331.  
Prayers.*

### MEMBERS' STATEMENTS

#### HAZARDOUS WASTE

**Ms Caroline Di Cocco (Sarnia-Lambton):** We know and understand that a significant role of government is to protect public health and safety. Safety-Kleen in Lambton county remains the largest importer of toxic hazardous waste in the country. It is the second-largest landfill and incinerator on the continent.

I have been continuously bringing to the attention of this government the need to change regulations so as to make this site safer, regulations which would impose that hazardous waste be pretreated before it is landfilled. Ontario is now the only jurisdiction in North America that allows simple dumping of hazardous waste into the ground. Without treatment, this approach creates a tremendous danger to public health and safety. The provincial government is the one which establishes the controls for hazardous waste landfills and has the authority to accept or reject toxic hazardous waste from outside the province. I continue to bring to the attention of the Harris government that it has a responsibility here that it is not meeting.

The Safety-Kleen hazardous waste landfill is an example of where the Harris government is the worst in all North American jurisdictions in how it regulates hazardous waste landfills and incinerators. The current practice does not protect public safety or public health, and in years to come we will likely see a devastating environmental impact from this site.

#### MABEL EMMA BRUCE

**Mr John O'Toole (Durham):** I'm pleased to rise in the House today to speak of a World War I hero from my riding of Durham who has been recognized by Bowmanville's hospital volunteer association. Mabel Emma Bruce distinguished herself as a nurse in World War I while serving as a member of the 1st Canadian Field Ambulance. She was honoured with three medals, including the Royal Red Cross insignia that she received from King George at Buckingham Palace. This rare medal is conferred only on those who exhibit "special devotion and competency during wartime."

Before volunteering to serve overseas, Mabel Emma Bruce was Memorial Hospital, Bowmanville's first superintendent of nursing when the hospital opened in 1913, so it is fitting that last evening she was recognized by the Association of Hospital Volunteers, Bowmanville. Her medal has been suitably framed and displayed, along with a plaque and photograph of this distinguished woman.

At this time I'd like to recognize Jill Haskins, president of the Association of Hospital Volunteers, Bowmanville, and the members of the association's newsletter team who were responsible for recognizing this distinguished nurse and researching the details of her life. The newsletter team consists of Les Trotman, Mary Taylor and Roger Wharmby.

Actually, there is somewhat of a mystery surrounding the whereabouts of Mabel Bruce after World War I. She never claimed her medals, and they were stored by Veterans Affairs in Ottawa until the hospital volunteers located them and brought them back to Bowmanville 76 years later. Perhaps there is someone viewing today who may know more details on this topic.

I'd like to thank Mabel Emma Bruce, along with Jill Haskins and all the volunteers at Bowmanville Memorial Hospital.

#### MUNICIPAL RESTRUCTURING

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** Today at sundown starts Yom Kippur. To my Jewish friends I want to say Shana Tova.

It's been a year now since the province forced amalgamation upon the good people of Ancaster, Dundas and Flamborough. I invite members to recall the government's three-fold amalgamation commitment: first, to more efficient, effective and accountable government; secondly, to the provision of better municipal services; and finally, to the achievement of both at lower cost and lower taxes.

Let me share what's really happened. In Flamborough, residential taxes, even with area rating, have skyrocketed some 13.8%. Thanks to the inequitable business education tax and the burden of over \$100 million of downloading and transitional costs, today our economic future is in jeopardy. Long-established businesses are fleeing for greener pastures. Serious conflict has arisen between full-time and part-time volunteer firefighters. Just two days ago, Mayor Wade told business leaders that the unique contract provisions of this government's unelect-

ed transition board had regrettably made personnel changes difficult, showed contempt for the responsibilities of elected officials, and will cost the city some \$300,000-plus.

My constituents want their communities back. They continue to resent the undemocratic amalgamation that was forced upon them.

### HATE CRIMES

**Mr Peter Kormos (Niagara Centre):** Since September 11, there have been some incredibly regrettable reports of attacks on Muslim people and their mosque in the Niagara region. These reports, of course, have come from across Canada and the United States as well. So I want to stand today and condemn in no uncertain way the hatred and the violence that have been demonstrated against members of the Muslim community in Niagara and across North America.

I know the Muslim community in Niagara. These Muslim people, women and men and their families, are our neighbours, our friends, our sisters and brothers. I want to tell you, Speaker, that I will be at the mosque in St Catharines on Sunday. I'll be joining Zakir Ali and other Muslims and their friends in a gesture of solidarity, in a gesture of celebration of the great contribution that Muslim people have made to Niagara region, to this country and throughout the world, and in recognition of the significance of the Islamic faith not only for people in Niagara region and Canada, but for so many people throughout the world.

I hope and trust that the members of this assembly will permit me to speak on their behalf as well when I condemn the violence and hatred and racism that have been displayed against Muslim people in Niagara and beyond.

1340

### CHRISTIAN HORIZONS

**Mr Ted Arnott (Waterloo-Wellington):** Christian Horizons, Ontario's largest provider of community services for people with disabilities, celebrated the grand opening of its new headquarters on July 30 while the House was in recess.

From the renovated head office in Elmira, Christian Horizons leads the staff and volunteers who enhance the lives of more than 1,000 individuals per year in 150 different locations across the province. They also operate a retreat facility in Paisley that provides vacation-style fun to more than 1,000 individuals.

Christian Horizons provides a unique approach to serving people. Their objective is "to provide for the physical, social, intellectual, emotional and spiritual welfare of the exceptional person." Christian Horizons helps lead the way because they are strongly motivated and because they bring together people from different faith backgrounds to fulfill their mission. They insist on private sector funding and partnerships, a standard that includes the new headquarters, where they celebrated the

expansion and improvement of the At The Crossroads Restaurant and Mercantile Gift Shop.

I was honoured to speak at the opening and I congratulate Ed Cider for this historic development and on his appointment as CEO of Christian Horizons. I also want to thank his predecessor, Noel Churchman, whom I also met with recently in his capacity as chair of corporate relations.

The new headquarters in Elmira is as much a tribute to the strong leadership of these men and their staff as it is a sign of continued growth in the provision of services by Christian Horizons. I know all members of this House will want to congratulate the staff and the volunteers at Christian Horizons.

### YOM KIPPUR

**Mr David Caplan (Don Valley East):** At sundown tonight, I, along with members of the Jewish community, will be celebrating Yom Kippur.

Yom Kippur, the Jewish day of atonement, is the most solemn day of the Jewish year and is observed on the 10th day of the month of Tishri. It is a day of fasting, reflection and prayers.

On Yom Kippur, the metaphorical Book of Life is closed and sealed. Those who have repented for their sins are granted a good and happy year. This holiday is also one of forgiveness for promises broken to God, to make amends between people and for remembrances of those who have passed on.

I know that many people, myself included, will be putting extra emphasis on remembrance this year. With the events in the world, I will be lighting an extra candle in memory of those who were taken in the United States tragedy on September 11. Like me, many will be sharing an extra prayer in hope that the wisdom and faith that we have been endowed with will guide us through whatever the new year brings.

I would like to extend to members of the Jewish community in Don Valley East, in the province of Ontario, across Canada and around the world a healthy, peaceful and happy new year. Shana Tovah.

### EVENTS IN NORTHUMBERLAND

**Mr Doug Galt (Northumberland):** Once again it's fall fair time in Ontario, and one of the best is the 27th annual Brighton Applefest taking place in Brighton, in my riding of Northumberland, from September 27 through September 30.

Applefest events include an apple baking contest, a vintage car show, the Kinsmen pancake breakfast, the 14th annual Applefest Challenge Run and a 2 o'clock parade. There will also be open-air concerts. The Yuk Yuk's Comedy Show and Dance will provide entertainment on Saturday evening at the King Edward arena.

There will be plenty of events aimed at children as well, including the traditional Applefest parade and historic ghost walks. There will be hayrides throughout the

weekend and a pet show on the lawn of the Proctor House Museum on Sunday afternoon.

Rural festivals such as this help bring communities together, and this is certainly true in the case of Brighton. Applefest attracts tourists, boosts the economy and brings citizens together to celebrate community life.

I invite you to come see what Northumberland county has to offer. Join me and special guest Lance Brown from CFTO television for a weekend of family fun and excitement at one of the best fairs Ontario has to offer, the Brighton Applefest, the original applefest.

## CANCER TREATMENT

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** Concerns about unacceptably long waits for cancer treatment continue to grow. We have known for more than two years that the waiting time for radiation therapy was much too long.

This summer we learned that the waits for cancer surgery are equally unacceptable. Fifty per cent of cancer patients are waiting more than five weeks for surgery; 20% wait longer than two months.

The Minister of Health responded to this incredibly shocking information with the assurance that he would solve the problem with his plan to merge cancer centres with hospitals. The minister said the problem is not a lack of money; the problem is an inefficient cancer system.

In fact, the problem is a lack of money, a lack of hospital beds, a lack of operating room nurses, a lack of diagnostic equipment. Those problems can't be solved by merging cancer centres with hospitals that are already facing \$600 million in deficits.

In fact, the government's plan to gut our cancer centres will make the waits longer. That's exactly what the government was told yesterday by Graham Scott, who was appointed to manage Cancer Care Ontario on an interim basis. He said that if the government goes ahead with this plan, waiting times for radiation treatment and cancer surgery will grow and access to treatment will be uneven across the province. He also said that merging cancer centres with hospitals would lead to money being shifted from cancer care to cover costs in other areas.

The government's so-called plan for integration is really just a way of burying the problems that Cancer Care Ontario has been bringing to light. If Cancer Care Ontario is no longer coordinating patient care and is no longer setting standards for care, we'll never know just how long patients are waiting for treatment. But a patient who is waiting for life-saving cancer treatment will know.

It's time to abandon this foolish merger plan.

## ALBERTO LA ROCCA

**Mrs Tina R. Molinari (Thornhill):** On Sunday, September 23, I had the privilege of attending an event in my riding of Thornhill celebrating the courage of Alberto La Rocca, a 20-year-old carabinieri serving in Italy in

1944, who demonstrated his love for country, his respect for life and an enormous sense of altruism.

Born in Sora, Vaughan's sister city, Alberto La Rocca, together with two other young carabinieri, chose to offer his life so that the lives of 10 citizens might be spared.

In recognition of his bravery and courage, the city of Vaughan, along with the community of Sora, worked together to officially open La Rocca Park and unveiled a life-sized bronze statue of the young hero.

As well, to help strengthen relations between the sister cities, local families agreed to open their doors and lives to students of the community of Sora. The 60 students were invited to learn, participate and experience in the Canadian way of life, the importance of which we have all come to respect in the wake of the recent US tragedy. Unfortunately, they were not able to take the trip as the day they were scheduled to leave Italy was September 11.

Although the students did not make the trip, some of the local dignitaries did. They are in the members' gallery, and I would like you to join me in welcoming them: Enzo Di Stefano, regione lazio—he's equivalent to an MPP; municipal councillor of Sora, Massimo Ascione; and the mayor of Sora, Francesco Ganino. Also accompanying them is Frank Cippolone, who is a former councillor of Woodbridge. My mom is here as well.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**The Speaker (Hon Gary Carr):** I beg to inform the House that today the Clerk received the 13th report of the standing committee on government agencies. Pursuant to standing order 106(e), the report is deemed to be adopted by the House.

## INTRODUCTION OF BILLS

### STUDENT PROTECTION ACT, 2001

#### LOI DE 2001

### SUR LA PROTECTION DES ÉLÈVES

Mrs Ecker moved first reading of the following bill:

Bill 101, An Act to protect students from sexual abuse and to otherwise provide for the protection of students /  
Projet de loi 101, Loi visant à protéger les élèves contre les mauvais traitements d'ordre sexuel et à prévoir autrement leur protection.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The minister for a short statement?

**Hon Janet Ecker (Minister of Education, Government House Leader):** I will do it in ministers' statements.

#### ANTI-PRICE-GOUGING ACT, 2001

##### LOI DE 2001

##### CONTRE LES PRIX ABUSIFS

Mr Bartolucci moved first reading of the following bill:

Bill 102, An Act to protect consumers and prevent price-gouging in situations of crisis / Projet de loi 101, Loi visant à protéger les consommateurs et à combattre les prix abusifs dans une situation de crise.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Rick Bartolucci (Sudbury):** The bill prohibits unjustified increases in situations of crisis, in the price of products and services needed to protect health and safety and to protect people and property.

I introduced a similar bill two years ago, and the government didn't adopt it. I would suggest that in a time of crisis such as an ice storm, going into a new century or in times of terrorism, people should not profit from the distress of others.

1350

#### MARTYRS' SHRINE DAY ACT, 2001

##### LOI DE 2001

##### SUR LE JOUR DU SANCTUAIRE DES MARTYRS CANADIENS

Mr Dunlop moved first reading of the following bill:

Bill 103, An Act to declare Martyrs' Shrine Day for Ontario / Projet de loi 103, Loi déclarant le Jour du Sanctuaire des martyrs canadiens en Ontario.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Garfield Dunlop (Simcoe North):** This year marks the 75th year since the opening of the shrine in Midland, Ontario. The shrine continues to promote historical information and awareness of the events of the 17th century in this province. It witnesses to the spiritual testimony of not only the early missionaries and First Nations people but now as well to the multicultural and multi-faith celebration of that heritage.

#### BUILDING CODE AMENDMENT ACT (BIKER GANG CLUBHOUSES), 2001

##### LOI DE 2001 MODIFIANT LE CODE DU BÂTIMENT (MAISONS DE RÉUNIONS DE BANDES DE MOTARDS)

Mr Bryant moved first reading of the following bill:

Bill 104, An Act to amend the Building Code Act, 1992 to permit municipalities to pass by-laws prescribing standards for the use of fortifications, barricades and surveillance equipment on property within the municipality / Projet de loi 104, Loi modifiant la Loi de 1992 sur le code du bâtiment en vue de permettre aux municipalités de prendre des règlements municipaux prescrivant des normes pour l'utilisation de fortifications, de barricades et d'équipement de surveillance sur les biens situés dans la municipalité.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

**Mr Michael Bryant (St Paul's):** This bill authorizes municipal councils to pass bylaws prescribing standards for the use of fortifications, barricades and surveillance equipment on property within the municipality. The purpose of the bill is to permit municipalities to address concerns regarding motorcycle gang clubhouses that can be fortresses of crime and targets in gang warfare—in short, the anti-biker bunker bill.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### STUDENT PROTECTION LEGISLATION

**Hon Janet Ecker (Minister of Education, Government House Leader):** One of our government's most important priorities is the protection and safety of our young people. We must do everything we can to protect young people from sexual abuse, and that includes protecting them in our schools.

Earlier this afternoon I introduced legislation that, if passed, will help to further protect the students of this province. It is important to stress that the vast majority of teachers have and deserve the respect of their students, parents and their communities. Unfortunately, there are some individuals who do take advantage of their positions of trust. Today we are sending a clear message to those who would prey on our children to stay out of our schools.

The Student Protection Act is another step to do that. If approved, it will set a clear, comprehensive definition of sexual abuse so that students will be protected from sexual harassment as well as sexual assault.

It will provide the College of Teachers, the professional body that regulates the teaching profession and governs its members, with the added authority it needs to take strong action against those who would harm our children. It will require employers of certified teachers to report a teacher charged with a sexual offence against a student to the Ontario College of Teachers. School boards, as well as public schools, private schools, tutoring companies or other organizations, will be required to do this if they employ teachers certified by the Ontario College of Teachers to instruct students.

It will ensure that any teacher in a publicly funded school is removed from the classroom if he or she is charged with sexual assault against a student.

It will improve information sharing between employers and the college, making it much more difficult for a teacher who has been disciplined for sexual abuse to quit and move from one board or school or body to another undetected. Employers of certified teachers will face fines upon conviction of up to \$25,000 for breaking the reporting rules.

This proposed legislation responds to the recommendations from retired Court of Appeal Justice Sydney Robins, who reviewed the events that led to the 1996 conviction of a teacher in a public school in Sault Ste Marie. Justice Robins's 101 recommendations have been seriously reviewed both by the ministry and by many of our education partners, including the federations, school boards, parent groups and the College of Teachers. The bill I have introduced today acts on the recommendations from Justice Robins, the college and our other education partners.

The bill also reflects the professional and regulatory obligations currently required by law for regulated health professions in Ontario.

Much has already been done by this government to protect children, to reduce the likelihood of abuse and violence in our communities and to better protect those who teach and work in our schools. The Student Protection Act we introduced today builds on and supports these efforts, and it will help to ensure that Ontario students are safe at school.

I would like to thank the staff at the ministry for their work on this bill and the Ontario College of Teachers and other education partners for their advice. I'd just like to draw to the attention of members that we have in the gallery Liz Sandals and Jeff Sprang from the Ontario Public School Boards' Association.

Mr Speaker, I think you will find that there is a great deal of consensus about the need to deal effectively and quickly with those individuals who would abuse our children, and I would respectfully ask that all members join with me in supporting this bill.

**Mr Gerard Kennedy (Parkdale-High Park):** We on this side of the House welcome the minister's response made to the Robins report tabled in April 2000. There is no question that we in this party take very seriously the oversight that this Legislature extends to every classroom in this province, and that every classroom, and every child in that classroom, should have the best protection we can afford them and whatever application of our imagination and integrity this House can provide.

We will compare very carefully the legislation we have just received to the Robins report, to the College of Teachers recommendations the minister received a number of months ago, and make sure this is the best protection that students and anyone in the school environment can have.

We appreciate our teachers, but we understand as well that it is a trust situation from top to bottom in terms of

how they are in a position of trust with the young people of this province. We recognize that there may well be a need for additional intelligent protection to ensure that there are no loopholes, that there are no practices, that there is nothing that can be done that would escape the notice of the authorities, which we in this House represent, ultimately.

**1400**

It strikes me as passing strange and irreconcilable that this type of protection, if necessary and if worthy of our attention today, does not extend to every classroom in this province. How can there be a lower standard? How can there be less of an interest? How can there not be the same kind of concern for children who are in directly sanctioned private schools, who are in unregulated environments now officially sanctioned for the first time by any government anywhere in North America? Those children will not have the benefit of whatever protection these laws will provide.

When asked at the media conference, the minister provided a very unsatisfactory initial answer, which I hope the days that attend this debate will allow her to improve on. She said, "There are other laws to protect those kids." Well, then, what do we have in front of us? What do we have in front of us when the Minister of Education, the chief executive of the province when it comes to the interests of school children, is unwilling?

Further, yesterday in the estimates committee we asked the minister, in that role, unique in this province, of looking after the welfare of children in schools, if she had any recommendations to make for qualifications for private schools, anything at all she would put on the record on behalf of the people of Ontario in her role, and she declined. Not even these very serious measures did she indicate should be part and parcel of what private schools should have applied to them.

We on this side of the House recognize that there will be no games played with this particular piece of legislation. We have in Rick Bartolucci and other members of this caucus ideas and legislation which, to its slight credit, after a long delay, the government has adopted that are in the interests of children. But we cannot and will not rest until this inexplicable dichotomy between the ideology of one part of the government, the Ministry of Finance, which wants to have a wild west of education, and the legislation we have in front of us is somehow brought together, because every child in this province deserves as much protection as we can possibly provide, especially in an area that is so potentially disturbing, traumatic and unacceptable as that involving sexual abuse.

We would ask the minister today as well to provide to this House and to the public of Ontario some indication whether we have any boards in this province that did not adopt the protocols she asked them to adopt last spring. Just as we show our resolve to act, we do not want to be a place that fosters undue anxiety for parents or others out there. I think people need to know and I think it's good we have with us today the president of the Ontario Public

School Boards' Association. I think all four school boards have taken measures over the years. They have recognized that there may be loopholes. They have welcomed the type of legislation we have in front of us today. But I think it's important to know that this is something every authority, not just the provincial authority, is working on.

We look forward to working with the government to create a broad, powerful coalition that doesn't use this as any kind of wedge issue but instead brings people together on something we absolutely agree on: all school children in this province need to be and shall be protected from sexual abuse.

**Mr Rosario Marchese (Trinity-Spadina):** There is no question that the New Democrats support this legislation or indeed any legislation that would make it possible for us to protect the children who are in our care. While they are in school, they ought to be protected and need to have the protection, and any legislation that comes forward that does that, New Democrats would support.

Teacher federations support this. Every teacher in the system obviously is supportive of this legislation, because they too care about what happens to young people in their care.

I can't say that the minister has been as generous to teachers as teachers are generous to this government and to this minister as she introduces this legislation. They have been whacked from one corner to the next for the last six years, yet when there are initiatives that are good, positive and important to be introduced into law, they are the first to support this government.

New Democrats, parents and teachers are behind this piece of legislation. We say that in the public system there are 1,200 unqualified teachers who receive letters of permission to teach and these people would be covered by this legislation, subject to this legislation. But you can't say the same of the unqualified folks who teach in the private school system. How can you have unqualified teachers in the public system be subject to this law but this minister and this government deem it unacceptable, or at least, if not unacceptable, that it's all right for those who aren't qualified in the private system not to be subject to the same law? It doesn't make any sense.

What we're saying to this minister is that once you give public money, in whatever way, to a private system, not a system that New Democrats support—clearly, we do not support a private system, we do not support public dollars to a private system. If they want it, they can have it on their own and pay for it on their own. But as soon as you decide as a government to give taxpayers' dollars to a private system, they must be subject to the same rules. And if you believe that teachers need to be tested, if you believe we need to protect students from sexual predators, then the same rules have to apply to everyone across the province.

I just don't know how this government and this minister can justify that these people in the private system ought not to follow the same rules. If people with

letters of permission in the public system and teachers have to abide by the rules, we argue that you need to think about what you're going to do to protect those students from those possible predators who might leave the public and the Catholic systems and find themselves in a private school that is unregulated, where you have unregulated teachers and certified teachers, and they will not be subject to this law. You understand, Minister, you've got a problem.

*Interjection.*

**Mr Marchese:** Not you. Well, you will have a problem as a legislator, but the children indeed have a problem and potentially could have a problem.

Earlier this year, two administrators of a Bolton private school were charged with failing to report five alleged sexual assaults at their school. In that case, children were victimized by another student. But the point is that the people in charge of the children's safety did not report the abuse. That's the point we are making.

**Mr Frank Mazzilli (London-Fanshawe):** That's an offence already.

**Mr Marchese:** No, Frank, Mr Former Policeman, the point we're making is that the unqualified teachers in that system, in the private system, the ones who are getting money from you and from the taxpayer, will not be subject to this law. I'm saying to you, Frank, Mr Former Policeman, you've got to talk to the Minister of Education and convince her that the law applies to everyone across the land, particularly so now that you have decided public dollars are going to go to that private system. You have to think about it. If you're going to protect students, you have to protect them wherever they are: the public system, and now the private system that is publicly funded.

Minister of Education, I know you're busy talking on other matters, but you should be listening to this issue because we'll be talking to you about this over and over again, as we have talked to you about it in the past. Protect everyone and make sure that those teachers in the private system are subject to the same law.

JOHN SWEENEY

**Hon Elizabeth Witmer (Minister of the Environment):** It is my understanding that we have the consent of all three parties to speak for approximately five minutes.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

**Hon Mrs Witmer:** I will be sharing my time with the member from Kitchener Centre.

I rise today on behalf of the government to join with all members of the Ontario Legislature in recognizing the passing of Mr John Sweeney, former Minister of Community and Social Services, Minister of Municipal Affairs and Housing and member of provincial Parliament. We are very honoured to have with us in the gallery today Kay Sweeney and members of the Sweeney family.

1410

I first became acquainted with John Sweeney shortly after moving to Kitchener-Waterloo in 1972, when John was the director of education of the Waterloo County Roman Catholic School Board. From that time until his passing, I developed a tremendous personal respect and admiration for his dedication, his compassion and his all-embracing commitment and passion for his work, whether as an educator, an MPP, a cabinet minister, a trustee or a volunteer, as well as for his genuine interest in each and every human being, his faith and his tremendous love for his family. I can tell you that he was a man who was personally an inspiration not only to me but to countless others in our community and beyond.

In everything that John accomplished, he was surrounded by the presence and the love of his family: Kay, his wife of 48 years, and his 10 children, Mary Ann, Michael, Cathy, Stephen, Eileen, Shelagh, Peggy, Maureen, Tim and Peter.

At the provincial level and as a cabinet minister, John left a most impressive legacy to the people of our province, including his groundbreaking reforms to make it easier for people to move off welfare, his granting native communities the power over their own child welfare agencies, and his bringing in legislation enabling adoptive children and birth parents to find each other.

I would like to turn now to his impact on my community of Kitchener-Waterloo. Kitchener-Waterloo has a well-regarded reputation as a generous and inclusive community, and this is due in large measure to the contributions of individuals such as John Sweeney. John made unprecedented contributions to Kitchener-Waterloo in the fields of education and health and in numerous community organizations such as Habitat for Humanity and St Mary's hospital. In recent years, one of his most significant contributions was his close affiliation with and support of St Jerome's University at the University of Waterloo, where he served as chancellor since 1992. It was here that John was able to continue to demonstrate his dedication to the ideals of selfless public service.

As I reflect on his many years of selfless public service, I remember in particular that he was a tireless community builder who always applied his own standards and his own high moral and ethical values to everything he did. He was a man who always demonstrated an un-failing belief in the inherent goodness of each and every person.

The Globe and Mail on July 13 quoted former Premier David Peterson, who offered these words about John Sweeney: "He was driven by principle, faith and love. These three things governed his life." Those of us in this place who had the privilege of knowing John Sweeney can attest to the accuracy of this statement. As John Sweeney confronted difficult issues, he always remained committed not only to the principles of compassion, wisdom and patience; also, he led us all by example and he always stood up for his ideals.

Despite the tremendous issues that he faced and the tremendous community commitments, Kay and John

always made time for their family. I know they made a special effort to be there for sporting events and individual pursuits. In more recent years, I know that this family love was extended to their 21 grandchildren, and John was certainly a proud and loving grandpa.

In conclusion, I want to personally recognize John Sweeney and Kay for the tremendous impact they have had on the lives of so many others, and I want to take this opportunity to thank their children for sharing their father with us.

**Mr Wayne Wettlaufer (Kitchener Centre):** It's a real pleasure to be able to rise today and pay tribute to not only a former member of provincial Parliament for Ontario but to a man who always discharged all of his duties with honour and principle. He was a man that I am proud to say I regard as a role model for myself in everything I do in this place.

I admired him because he had the courage to do everything that he thought was right, regardless of the consequences. When I entered the Ontario Legislature I vowed to do likewise. I thought that maybe, just maybe, somebody would think of me in the same breath as John Sweeney when I was no longer here.

When John originally ran for the nomination of the Liberal Party against a couple of other candidates, he was then serving as the director of education for the Waterloo County Separate School Board, and in spite of advice to the contrary, he resigned as director in order to run for that nomination because he thought it was the principled thing to do—rather risky for a devoted father of 10.

A week ago I had lunch with a friend of mine, Tim Fitzpatrick, who was one of John's closest friends. He was also John's chief fundraiser. Tim related to me how dedicated John was and how he had always wanted to serve where he could make a difference. Well, John certainly did that.

Tim also related to me about John's campaign signs when he ran for the nomination originally, how the signs said, "He cares." He did that too. He cared about his family, he cared about his country, he cared about other people's families. He cared about his friends, his relatives, his province and he cared about all the organizations in which he had a part of play. He cared desperately about his faith.

John Sweeney suffered a number of heart attacks, four major ones that I know of. Five years ago my own father suffered a massive coronary, and I talked to John about what we might be able to expect insofar as behaviour, insofar as progress after the heart attack, and John spoke with me on a number of instances after that to demonstrate how much he cared. In fact, I can remember that at one of the convocations at the University of Waterloo I was sitting beside John on the dais and the president of the university was giving a speech. John leaned over to me and said, "How's your dad?" I say that to demonstrate John's humanness, if I can use that word. He cared about others, he was principled and he was passionate.

But he was also a human being. In some ways he was subject to some of the foibles that the rest of us are. Tim

Fitzpatrick told me about an instance when the two families rented a cottage on Stoney Lake and how one night John got lost in the boat. He had decided he didn't want a map and he got lost. I guess he made contact with a rock, and Tim took away his boating privileges that night.

I hope that my tribute today will demonstrate how human John Sweeney was, how gloriously human. I wasn't able to attend John's funeral because I was out of town, but I did express my sadness to Kay the night before. Their loss is shared not just by everyone in Kitchener, but it's shared by everyone in this province and in this country.

John represented Kitchener-Wilmot riding but he and Kay lived in my riding of Kitchener. They raised their family in my riding. They attended the same church that I did for many, many years. A more devout Christian probably doesn't exist. When you look up "dignity," "honour" and "principle" in the dictionary, you're liable to see a picture of John Sweeney.

I dropped a short line to John a couple of weeks before he died to let him know that I was thinking of him. I also stated in that letter a belief that I have, that John's heart was just too big.

1420

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** On behalf of Dalton McGuinty and the Liberal caucus, I'm delighted and honoured to join the previous speakers in paying tribute to John Sweeney.

It was 26 years ago this week, thereabouts, that John and I walked into this chamber together as newly elected members of the Legislature. It was about that time that I discovered that John Sweeney liked to talk—and, boy, could he talk. It perhaps was the Irish blood in him, I thought to myself.

In fact, John and Kay and some of the family are here today. It's too bad Bob Nixon is not here today, because one of John's most famous speeches was at the very beginning of his political career. The leader—we've all been through this experience—was invited to a big rally before polling day and, as it was expected, the leader would be the featured speaker. Well, in Kitchener-Wilmot that night in September of 1975, it didn't quite turn out that way. John was called upon to introduce the leader, and 55 minutes later the leader got a chance to thank the guest speaker.

Those of us who served with John can remember the sight and will recall the voice, that lean figure, the eyes darting, the finger pointing, an intensely moral man in a very secular world.

John English—a good friend of mine and former member of Parliament for Kitchener—and I were talking the other day, and we were talking about John. Professor English said that one of the remarkable things about John Sweeney was that, notwithstanding how intensely he held his views—and whether it was his views about the family, about education, about poverty, about opportunity, you always knew where John stood. He stood very firmly on his ground and would argue very passionately

for his position. As Professor English observed, the remarkable thing about John Sweeney was his tolerance for opposing views.

I think if there's something we have to remember about John Sweeney in this, our more modern age, it's that no matter how deeply held are your views, it is a very useful thing, particularly in politics, to be tolerant and understanding of alternate or opposing views. It is no secret that John's views about abortion centred him out in our caucus and in this place; very strongly held, very controversial views throughout his entire public life.

John was, in a sense, a true Gladstonian in that his were the passionate politics of conscience and he was compelled to tell you about how he was going to reform and improve the world. Whether it was in the school system, in social welfare or in Habitat for Humanity, he meant to make a difference.

Now, he was no saint. Dare I say it, Bradley? The sinners in his caucus, with names like Conway, Bradley, Roy and Breithaupt, and many others, I could imagine—and I'm sorry to have to say this to you, Kay and family: behind his back we called him "the Cardinal" because he was the voice and the image of moral authority. I say to my friend Stockwell, you would not so much as think about using bad language or bad behaviour around the Cardinal, because he was just that kind of person, private and public. You felt compelled to be a good boy or girl. It may have been the principal, it may have been the teacher; I don't know, I say to my friend from Waterloo North. But that he was no saint you were always reminded when you went to Kitchener-Wilmot, as I did on many happy occasions, because when you saw those Liberal partisans with names like Fitzpatrick and others, as they prepared their purposeful way to get John re-elected, you knew you were not among an angelic host. They knew how to play this game of politics in a vigorous, forceful and winning way. John was always there, just a bit above it all, but happy to be there on election day to gather the votes and lead the charge.

Mrs Witmer has so rightly observed that John was a man of family. I've been here for a long time as a single person, and I used to think John, whether he was a member of our caucus or a member of cabinet, was always polite; he had always read the briefing book, and he was always not just on time but he was actually there before the meeting began. You thought, "He's got a big department to run. He's got a wife and 10 kids. How did he do it?" Well, as Liz Witmer has observed today, if you ever knew Kay, his wonderful wife, you knew how he managed his life, both public and private.

Let me say, as John would want it said today, that the success and the reputation that he enjoyed as a private citizen and as a public official is to a very great degree a function of that wonderful marriage he made nearly a half-century ago. Kay, we are so delighted to see you and the family here today.

In summary, I just want to observe something. It was about 10 years ago, I say to my friend from London North, that at a roast in Kitchener, Dianne Cunningham

was reported to have said, "How do you roast someone as decent and as honourable as John Sweeney?"

So as I take my seat today, I ask this House not to roast John, but let us celebrate a truly wonderful public life, not just in politics, but in education, and not just in elementary and secondary; one of John's great passions in later life was St Jerome's College, Habitat for Humanity, as I mentioned earlier. He had a wonderful public life. It was for John almost a secular ministry. He came to public life because he saw public service as a wonderfully positive end in its own right; I think a great legacy.

Let us cherish a good friend and former colleague. And let us, each and every one, try to emulate the honour, the compassion and the utter incorruptibility of this wonderful man, John R. Sweeney, now deceased.

1430

**Mr Peter Kormos (Niagara Centre):** On behalf of the New Democratic Party caucus here, I want to tell you and the Sweeneys how proud I am and honoured indeed to have a chance to speak on behalf of this caucus, speak to and about and to remember the life and the work of John Sweeney, a man who served this Legislature and the people of this huge province, both as a backbencher and as a cabinet minister, during a very distinguished 15 years here in this provincial assembly.

I had the opportunity, and I was blessed to have the opportunity, to know John Sweeney for a very brief time, until his retirement from here in 1990, at the very beginning of my career here at Queen's Park. As has been said and observed, he was a man very gentle in nature, but he also possessed an incredible and discernible and quiet strength that in that silent way very much commanded people's respect.

We in this assembly today have the opportunity to recall John Sweeney's contribution to the province as an elected member. But he was far more than just an MPP. He served his community in so many ways: as a teacher and a superintendent and director of education; as an advocate for the homeless and the poor, indeed, the poorest, the most disenfranchised. One of his incredible achievements right here—and I say this in the context of recalling that when John Sweeney was a member of this assembly, this was a far different Legislative Assembly.

The few people here who were here in that time I'm sure agree with me. It was John Sweeney and others like him who set that tone that was so very different from what it is today. Of course, there was partisan politics, and John was as partisan as they come. But at the same time there was a collegiality and a mutual respect; that has been spoken to already as well.

There was a driving passion by John Sweeney that he expressed so clearly here in the assembly and through his work as a minister to make sure that it was not just the suited and the well-dressed who had their day in Ontario. His welfare reforms, for instance, were designed, among other things—and they did do this; by God, they did do this—to help eliminate the stigmatization of merely being poor. John understood that, didn't he? He felt that in a very visceral sort of way, and he knew it was wrong to

stigmatize people and to knock them down because they suffered the misfortune of poverty. He knew that the right thing to do was to lend them dignity and to ensure that they had a chance to share some of the great prosperity that exists in this province.

Every newspaper obituary has referred to his comments upon his resignation as a member of the Legislative Assembly, his departure from here in 1990, where he said he wanted a chance to "smell the roses." For a gentleman who had already spent 15 years in this assembly, who expressed an interest in smelling the roses, he became incredibly occupied in his community and beyond in ongoing service to so many people and on behalf of so many organizations and constituencies. One of the areas that certainly stands out was his incredible effort on the part of affordable housing. I'm proud to tell you, and I hope the Sweeney family is even prouder of the fact, that John Sweeney was one of the people who was at the forefront in putting housing back on the public agenda back in his day.

Looking back on John Sweeney's career inside provincial politics and in so many other ways in his own community and across the province, the words that clearly come to mind for everybody who knew him or who had a chance to share some space with him are words like "integrity" and "incredible competence" and "consistency." I know, because I saw him and his work here and I was able to see what he did after leaving the Legislature, that John Sweeney was a man of incredible principle, profound principle. He was a man who could be relied upon to act with absolute clarity of purpose and a clean conscience. His political and his moral convictions were deeply felt and he approached every one of the difficult issues that he had to confront in the course of his work here and his work subsequent to Queen's Park with honesty and integrity. His moral convictions and his value system, he understood full well, weren't necessarily shared by the community that he was in, but he didn't park them or set them aside for even the briefest of moments in the pursuit of political goals or political expediency. He lived with what was in reality the burden of those values when it came to the impact of those values and his moral beliefs on his goals and ambitions.

In that respect, I put to you that we should reflect on that and contrast, every one of us, our pursuit of our own ambitions and the extent to which any of us may have or may in the future from time to time set aside convictions, set aside values in a way that John Sweeney never did, never would, and in a way that in his own heart I'm sure he deplored, and beyond deplored, he simply found unimaginable.

John Sweeney was a man who truly believed in the goodness of his fellow human being. He did. And I believe that it was those convictions of his, those values that guided him both as a Minister of Housing as well as a Minister of Social Services. John Sweeney believed in empowering people to better their own lives, and he implemented policies aimed at supporting people as they

worked toward improving their individual economic situations.

As we've heard from so many here already today—it's unanimous—John Sweeney was widely respected. He was one of those politicians—and they're very few and far between—who had the respect of both sides of this House. In fact, both the New Democratic Party and Conservative governments called upon John Sweeney to provide advice and direction on issues where John Sweeney had experience and expertise. The NDP government called upon him to head up the Ontario School Board Reduction Task Force, which looked at the structure of the education system across the province. Although he concluded—he did—that the number of school boards in Ontario should be reduced, he also made a very strong recommendation to this province to maintain equitable funding for boards across the province.

Mr Sweeney not only felt close to his community but he was very much a part of that community. He was inseparable from his Irish Catholic heritage, and in that respect I hope I do some justice to the words of poet George William Russell, *The Everlasting Battle*. I think it's appropriate. I hope you agree.

When in my shadowy hours I pierce  
the hidden heart of hopes and fears,  
They change into immortal joys  
or end in immemorial tears.  
Moytura's battle still endures  
and in this human heart of mine  
The golden sun powers with the might  
of demon darkness intertwine....  
But in the lightning flash of hope  
I feel the sungod's fiery sling  
Has smote the horror in the heart  
where clouds of demon glooms take wing,  
I shake my heavy fears aside  
and seize the flaming sword of will,  
I am of Dana's race divine  
and know I am immortal still.

On behalf of New Democrats here and those who aren't here any more and people across this province who have been blessed with the direction and wisdom and guidance of John Sweeney, with his friendship, with his companionship, with his collegiality, please let me express our most sincere condolences and our gratitude to you for having shared him with us. Thank you, friends.

**The Speaker (Hon Gary Carr):** I thank all members for their comments today and I will ensure copies of today's Hansard are forwarded to Mr Sweeney's family.

## ORAL QUESTIONS

### ONTARIO ECONOMY

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of Finance. Yesterday, you and the Premier told Ontario's working families that they didn't have to worry about the economy. You told

them the economy was strong and healthy, there was no need to revise the government's financial plan, and everything was on track. Today, Air Canada laid off another 5,000 employees, making 9,000 now in total laid off. Bombardier laid off 650 of its Toronto workforce. That's on top of the 450 they laid off earlier this month. Chrysler is going to be announcing next week that they will be laying off approximately 6,500 on a temporary basis. That's on top of thousands already laid off in the auto sector.

Minister, will you now admit that our economy is not nearly as strong as you thought it would be and it now demands that you change your original financial plan?

1440

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** As usual, the member opposite is confused. It is clear that the Ontario budget for this year is on track. When one is speaking about the budget, one is looking at the revenues and the expenditures: will they be in balance come the end of the year? I indicated to the Leader of the Opposition yesterday that the answer to that is yes.

The federal finance minister apparently is bailing and is saying no, but we can't compare with the federal finance minister since the federal finance minister has not done a budget. We did a budget in the province of Ontario. Progressive Conservatives budget; Liberals don't budget. That's the problem when we try to do a comparison with the federal Liberals.

On the revenue side we are on track. Of course, there will be consequences to the economic slowdown. Of course, there are consequences, certainly in the short term, to the tragic events of September 11. That's self-evident.

**Mr McGuinty:** Minister, you continue to maintain that the economy is healthy and strong. Those are your words. I can tell you that Ontario families and Ontario businesses strongly disagree with your opinion. They don't want to hear about your advice for the federal government; they want to know what you are going to do on their behalf, starting now.

Your advice yesterday to families was to go on with their lives and keep spending money. You will know that consumer confidence is a fragile thing at the best of times, and consumers and families see signs all around them that our economy is at least slowing. I believe that the job of government, and specifically your job, is to help inspire confidence in our consumers and in our families, and that means showing our families that you are on the ball, you recognize that the economy is slowing substantially and that, rather than standing there like a deer in the headlights, you are going to do something about it.

I put forward two specific proposals. If you don't like those, what specifically are you going to do, knowing what Ontario families and businesses know, that our economy is slowing and you have to do something?

**Hon Mr Flaherty:** What is the question in that? The member opposite says that the economy is slowing. Indeed, the economy is slowing. Indeed, we planned in

our assumptions to take into account the fact that the economy is slowing.

Am I going to be negative like the member opposite? Am I going to say to the people of Ontario that it's all gloom and doom? No, I'm not, because since 1995, Premier Harris and our team have made the difficult decisions, resulting in lower taxes, resulting in lower inflation, prudent fiscal management and three balanced budgets in a row. So Ontario is in a better position to withstand slower economic growth, which we have, than it has been for generations.

**Mr McGuinty:** Families are rightfully worried about the economy, but I think one of the things they are particularly worried about now, as is business, is the fact that you're not worried, Minister. They see people around them losing their jobs. They hear from economists confirming that the economy was already slowing before the events of September 11.

There are two things you should be doing now. Number one, admit that we have a problem in terms of the strength of our economy. Stop maintaining in the face of all evidence to the contrary that it is strong and healthy.

Second, take action. Meet with business leaders and labour leaders to hear from them and get their best possible advice. We are moving in uncharted waters. Try to put together a plan to meet this new challenge.

Finally, we need an updated fiscal and economic plan. I don't think that's being negative; I think that's being responsible. Those are the kinds of things that consumers and business are looking for.

**Hon Mr Flaherty:** The Leader of the Opposition suggests to me that I should admit, in his view, that the Ontario economy is weak. If it were 1990, at the end of the last Liberal government, I would say yes, the Ontario economy is weak. And why was it weak? It was weak because they raised taxes every year. It was weak because they increased the sales tax from 7% to 8%. It was weak because despite record revenues, they increased deficits, year after year after year.

That's provincial Liberal economic management in the province of Ontario. That is your record, and you dare to give advice to a Progressive Conservative, responsible government about how to deal with economic slowdown. I tell you, the people of Ontario know better. They know who they can trust for prudent fiscal management, particularly in more difficult times.

#### BORDER SECURITY

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of Economic Development and Trade. Yesterday, Minister, you were asked about the economic impact of delays at our borders and your answer provided cold comfort to Ontario families and businesses. You said, "In Ontario, the export of goods and services tops \$200 billion annually. Fully 93% of these exports are destined for the United States. That

translates into approximately 1.5 million Ontario jobs that depend directly on trade with the United States."

Minister, the problem isn't with what you said; it's with what you failed to say. You did not take the opportunity to tell us what, if anything, you are doing to secure that trade. I want to give you the opportunity now to stand and tell us specifically what actions you have taken, not only in light of the fact that the economy is slowing down but in light of the events of September 11. What are you doing to protect our economic lifeblood: the trade between Ontario and the US?

**Hon Robert W. Runciman (Minister of Economic Development and Trade):** We are doing quite a bit in this regard. In fact, we started on this issue early in June, much prior to the September 11 terrorist attacks in the United States.

We recognize the concern in terms of the importance of cross-border traffic for our economy and the economies of various states in the United States, which was raised at the New York-Ontario summit. That report has not yet been completed, but it will be. The report has been finalized with the exception of the final approval of New York State authorities. All of us on this side of the House can understand the delay in that with respect to the final sign-off on the recommendations flowing from that report. Last week we met with officials who are involved in cross-border transportation in a whole range of areas and they are meeting today as we speak.

1450

**Mr McGuinty:** Minister, we are the most export-driven economy in the world. Some 1.5 million Ontario jobs depend directly on trade with the US. We have got to keep the free flow of goods and people between our two jurisdictions.

Here are two specific things I'm putting to you, Minister, that I'd ask you to consider in terms of substantive actions that you should be taking now. The first thing that you should do is lobby the Minister of Finance to accelerate capital projects that might help relieve congestion at the Windsor-US border. As you know, in a just-in-time world, congestion is a job killer. I think that's a substantive, positive proposal.

The second thing that I would ask you to do is to initiate an emergency meeting with Governors Pataki and Engler and representatives of federal governments so that you might put together a plan to protect the free flow of trade between Ontario and the US.

Those are two positive, substantive things that I think we should be moving on, and I put those to you.

**Hon Mr Runciman:** I appreciate the advice and we'll take it under consideration. But I should, on the record, point out the fact that this is the party that ran a provincial election opposed to free trade. I think we should emphasize that point.

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. It's too noisy. The member for London-Fanshawe, come to order. The member for Niagara Centre, I think, was right: it was less

than a minute before we started shouting after the last speeches.

**Hon Mr Runciman:** We're certainly going to be very actively exploring what we can do at the provincial level to improve cross-border traffic. But I should point out that yesterday in Washington the Attorney General for the United States, in testimony before a congressional committee, before the judiciary committee of the US Senate, said that the border with Canada is undermanned and rather porous. I think that is a real and legitimate concern that many of us in this province very much understand, but the federal government has yet to come to grips with it. If I can offer some advice to my friend across the floor, why does he not get on the phone with his friends in Ottawa and say, "Do something meaningful about the border situation in this country"?

**The Speaker:** The minister's time is up.

**Mr McGuinty:** If Ontario's Minister of Finance and Ontario's Minister of Economic Development and Trade are so fixated with federal economic policy, then why didn't they seek seats in the federal government? The people of Ontario have entrusted you with a job to protect our economic interests. The time for inaction is over; the time for action is here.

Minister, we live in a just-in-time world today. If we can't get our supplies over to the other side of the border in time, they're going to get the supplies down there and we're going to lose jobs. On the other hand, if we can't get parts from the States up here for our finished products in time, we're going to lose jobs. That is what's at stake. The free flow of people and goods between our borders is our economic lifeblood. Some 93% of our exports go to the south.

We need some action from you. I put forward two positive proposals: an emergency meeting with the governors; and, on top of that, there's another opportunity for you to do everything—

**The Speaker:** The member's time is up.

**Hon Mr Runciman:** I indicated that I appreciated the advice being offered, and we will—

*Interjections.*

**The Speaker:** OK, folks, I gave a little leeway. Now we're going to start throwing people out. I'm going to pick people out. Both sides are starting. Typical of what happens, as one starts to elevate it, the next one elevates it. We're now at the point where I can't hear anything, because all you're doing is shouting. You're not even listening to your own leaders or your own ministers.

**Hon Mr Runciman:** I indicated in my second response that I appreciated the advice being offered, and we will take it under consideration. But at the New York-Ontario summit in June, we had a very large forum on this issue. We had experts from throughout North America. Certainly a lot of the focus was on the federal government. We cannot avoid that issue. We've had situations where we've now had the Attorney General in front of a US Senate committee saying how porous the border is. We had reports from the Canadian intelligence service—

**Mr Richard Patten (Ottawa Centre):** It's their border.

**Mr Bruce Crozier (Essex):** It's their border.

**The Speaker:** Order. The member for Essex, this is his last warning. The member for Ottawa Centre as well. Last warning for both of you. We're not going to have this. I gave you the warning. I don't care what comments you make. I can't be keeping track of people. I warned you, and I was very patient. Typically, I let you go; and when I let you go, each side goes too far. Now I'm going to clamp down. Last warning to both of you, and the same for the other side. If you start shouting out and interrupting each other, you'll go for the afternoon. It's as simple as that.

Minister?

**Hon Mr Runciman:** I'll give you another example of the co-operation that has been lacking on the Canadian side. US customs officials, in terms of pre-clearance to expedite commercial traffic across the border, have offered to set up pre-clearance stations in Canada. But because Canadian officials will not allow the American officers to enter Canadian property wearing side arms, we simply haven't been able to proceed on that issue. That's a very basic sort of thing that the Canadian government has refused to do. I'm saying to that gentleman across the floor, talk to—

**The Speaker:** The minister's time is up.

## COMPETITIVE ELECTRICITY MARKET

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Deputy Premier. Today in Ontario, jobs are being cut hard and fast: 5,000 at Air Canada, 3,800 at Bombardier. People are looking for a signal that your government understands the seriousness of the situation. They don't get a signal of that. What they get is your government persisting with a plan to sell off our electricity system.

Recent experience in the United States tells us that selling off the electricity system increases prices of electricity and kills jobs. Electricity is a backbone of Ontario's economy. Deputy Premier, tell us, why does your economic plan continue to include an electricity strategy that will sell off our electricity system, force up the prices and kill more jobs?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** The Minister of Energy, Science and Technology would like to answer the question.

**Hon Jim Wilson (Minister of Energy, Science and Technology):** To the honourable member, nothing could be further from the truth. In over 40 jurisdictions, including 23 American states that have introduced some element of competition in their electricity sectors, prices have gone down or they've been better than what they otherwise would have been under the old monopoly systems.

Your government had an opportunity during your five years in office to do something about electricity prices, about supply, reliability and safety, and you did nothing

except increase Ontario Hydro's monopoly debt to some \$38 billion. Today, 30% of people's hydro bill coming into their homes is used to pay toward that debt. That's a portion of the bill that we want to see shrink over the next few years as we make increased payments toward that old monopoly debt and as new businesses come into Ontario, and new jobs come into Ontario, that will allow us to supply competitively priced electricity. That has been the majority experience throughout the world for those who have gone down this road. We're learning from the mistakes of others where there have been problems, but we intend to do it right in Ontario.

**Mr Hampton:** Same old story. A year and a half ago you were in here telling us that California was the state to follow. Then privatization and deregulation there were a massive screw-up.

Then you referred to Pennsylvania. But now the Consumer Federation of America has looked at Pennsylvania, and since the price caps have come off, electricity prices have shot up there. It's the same in New York, Montana and Massachusetts, and 22 states in the United States are now saying, "We want nothing to do with deregulation of the electricity system." Yet you persist.

This is a letter from Stelco. Stelco wrote to you and they pointed out that what you've done so far—increasing electricity rates—cost them an extra \$10 million this year that they can't recover from anywhere else.

How much more do you want to increase electricity prices? How many more jobs do you want to kill at Stelco or Falconbridge or elsewhere, Minister? It hasn't worked in the United States. Send industries and consumers in Ontario a signal that you're not going to sell off the electricity system, you're not going to do what they did in California, Pennsylvania, New York and Massachusetts. That would be a good economic policy. Will you do it?

1500

**Hon Mr Wilson:** I recall President Clinton some three years ago, in espousing the benefits that had occurred in the United States, reminding the Congress that prices had fallen, become more competitive, that old debts were being paid off in the old monopoly systems, like the old Ontario Hydro system we used to have, and that the number of jobs in the electricity sector in the United States had doubled. So I would hope the honourable member would get his facts straight.

The other thing is the states he mentioned. He is in error in mentioning those states where prices have gone down. Yes, Pennsylvania hasn't had a high degree of retail participation in the competitive market. That may happen in Ontario also. People may be very happy with their current supplier.

You know, I've never switched from Bell as my current supplier, my supplier over the years, but AT&T and Sprint have consistently forced down that old monopoly, as the federal government opened up that market, to go from 10 cents a minute to seven cents a minute; it's darned near zero cents a minute now to make a long distance call. I stayed with my old supplier, but competition made

that old supplier smarten up, get its prices down and offer more choices to consumers.

The telecommunications industry is a good example of an old monopoly broken up—

**The Speaker (Hon Gary Carr):** The minister's time is up.

**Mr Hampton:** It's about electricity, and it's about how essential electricity is to the economy of Ontario.

When you boasted about California, California is spending billions of dollars today buying back their electricity system. That's after spending billions of dollars trying to overcome the rolling brownouts and the blackouts, and they're trying to get billions of dollars back from the very corporations that you talk so highly of that ripped off consumers and ripped off industry.

It is undeniable. The Consumer Federation of America points out that almost everywhere in the United States anyone who is advocating privatization and deregulation of the electricity system is now saying either no or, "Let's slow this down as much as we can and take a very close second look."

Are you going to do what Alberta did when prices go through the roof: offer \$4 billion and \$5 billion in subsidies so that people and industries can afford to purchase electricity? You owe people in Ontario an answer. Are you going to follow California and Alberta and watch electricity prices go up—

**The Speaker:** Minister?

**Hon Mr Wilson:** We've made it very clear in this province that Ontario is not California. An independent market survey of availability or supply of electricity in this province shows that Ontario has adequate supply over the next few years.

This government, in preparing for adding more jobs and increasing the strength of our economy, needs to plan ahead, unlike governments in the past or unlike California, where they find themselves in a supply crunch. We need today to begin to plan to build those new generating facilities for the future. The private sector has announced some \$3.6 billion worth of new jobs, new generating capacity. That's a better record than any other jurisdiction at this stage of introducing competition into their market.

I don't think the employees at Bruce, for example, where the union owns 5% of that deal which has to do with deregulation, would agree they lost jobs. I think the people of the Bruce area, who are a good example of where competition is working, would say they've gained jobs and in fact saved hundreds of jobs in that community.

**The Speaker:** The minister's time is up.

## TRANSIT SERVICES

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Deputy Premier. We understand that you are now going to provide provincial funding for GO Transit in the greater Toronto area. We understand that you finally recognize that urban transit is a foundation of

the urban economy and you finally recognize that municipalities on their own cannot provide the full costs of urban transit. If this is true, then New Democrats say this is good news. What took you so long?

But if you're going to do it for GO Transit, there's another part of the equation. The Toronto Transit Commission, the TTC, is also essential to the urban economy. It's essential to ensure that people can get to work and get home from work and participate in the economy in an affordable way. So if it's good for GO Transit, why wouldn't it also be good for your government to pick up some of the cost of the TTC? Can you announce both of them, Minister, and treat all municipalities the same?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** The Minister of Transportation will answer that.

**Hon Brad Clark (Minister of Transportation):** I thank the honourable member for the question. I'm slightly confused, however, about the question in itself, because the member himself still has not recognized that our government all along has been investing in public transit. As a matter of fact, we have invested, since 1995, \$3.2 billion—that's billion, with a "b"—into public transit. So I'm a little bit curious why he believes we haven't.

As a matter of fact, he's so friendly with the TTC, I'll ask one of the pages to take this over to him. It's a wonderful poster that's been on many of the TTC outlets, and it has actually a very good picture of the Premier, Mike Harris, thanking him for his investment in the TTC.

**Mr Hampton:** I appreciate that the Minister of Transportation is new to his job, but some of his officials had better give him a briefing fairly quickly. The reality is that urban transit systems virtually across this province have been downloaded by your government, and the reality for Toronto is that the TTC, which is an essential economic foundation stone of this largest urban area in Canada, has been totally downloaded on to the municipal property tax base.

I simply say to you, if you recognize now that downloading GO Transit was a mistake, that it doesn't work, that it will not equip the greater Toronto area with the transportation infrastructure it needs, are you also going to recognize that the Toronto Transit Commission must also receive adequate funding from the province?

Let me give you a suggestion: implement an Ontario transportation trust fund. Put some of the money from the gas tax, which you keep, into that trust fund so that municipalities can afford to fund their transit systems.

Will you treat the TTC on the same basis as GO Transit in terms of provincial funding?

**Hon Mr Clark:** Once again I thank the member for his question. I feel sorry for him that he appears to suffer from selective memory and selective hearing. I just finished stating very clearly, very slowly, that we have invested \$3.2 billion into public transit since 1995. If the member opposite is so concerned about urban transit, then he would be equally intrigued to know that the federal government contributed \$7 million—that's with

an "m"—since 1995, which equates to 0.02% of what we contributed to public transit.

Very clearly the leader of the third party doesn't seem to understand that we have been there for transit all along, we continue to be there for transit all along, and we'll continue to support it. The TTC recognizes it; maybe the member should talk to them.

## BIRTH CERTIFICATES

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of Consumer and Business Services. I want to bring something to your attention which I believe you will want to act on immediately. Given that the issue of personal security weighs so heavily on the minds of Ontarians, when it comes to applying for a birth certificate today in Ontario, we only need to provide the name, place of birth, mother's name at birth, father's name, and nothing further. There's no identification of any kind required. This is submitted by mail with \$15.

I'll tell you why it's so important: because once you get the birth certificate, that's an important step along the way to a passport. As well, to get into the US, in many, many cases all you need is a birth certificate.

Again, no identification whatsoever is required, separate corroboration, for the identity of the applicant; just complete this form, and 15 bucks gets you a birth certificate.

I think there's a loophole there, Minister. I think we should now be, especially in light of the events of September 11, more stringent, and I would ask you to address this.

**Hon Norman W. Sterling (Minister of Consumer and Business Services):** I do not believe that to be the case. I believe there are additional information and requirements needed in order to obtain a birth certificate, but I will have to get back to the member, and promise to do that in the future.

I do know that, for instance, in a birth in Ontario, a doctor has to validate that the birth has taken place and who that particular child's father and mother are, and therefore there is a fairly rigorous process. But I would be glad to look into that allegation. I don't believe it to be the case. We are, however, reviewing the whole procedure and updating that procedure at the present time.

1510

**Mr McGuinty:** Minister, I'll tell you what our 103 constituency offices are doing. We facilitate these applications. If you apply in person, you have to provide two pieces of identification, but if you apply to the source in Thunder Bay, you can apply by fax or by mail and all you need to provide is this form and \$15. I would ask you to carefully look into this, Minister, and if my understanding is correct, I would ask you to take immediate action to close this loophole.

**Hon Mr Sterling:** I think there may be either an unintentional or intentional effort here to confuse the issues. I don't know whether the member is talking about

the issuance of an original birth certificate or the replacement of a birth certificate. If we're talking about the original, I think he's got the wrong process, but I'll be glad to get back to him on that.

### ONTARIO ECONOMY

**Mrs Tina R. Molinari (Thornhill):** My question is for the Minister of Finance, Jim Flaherty. Minister, this question is very similar to the one that the Leader of the Opposition has been consistently asking, but let me make it clear that's the only similarity between us.

In the last two weeks, I've spoken with many concerned business owners and residents in my riding. They tell me they are pleased with the Premier's comments and our government's response to assist the victims of terrorist acts in the United States. They are also very concerned about the current state of the economy in light of the terrorist attacks in the United States.

Minister, can you tell my constituents of Thornhill what effect these attacks will have on the Ontario economy?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** I thank the member for Thornhill for the question. Unlike the Leader of the Opposition, I'm not negative about Ontario. I think we have a strong foundation. Our economy certainly has a strong foundation. We have a diverse, resilient economy in Ontario.

The tragedies of September 11 of course have an impact on Ontario. Our largest trading partner is the United States. That impact hopefully will be largely in the short term, but we're monitoring it carefully, making sure that we observe all of the data as they come in so that we can respond accordingly.

The economic forecasts of course are being reduced. The predictions with respect to economic growth in Ontario for this year are being reduced by the private sector forecasters, which is to be expected in light of two factors: the economic slowdown that was anticipated, and the tragic events of September 11.

**Mrs Molinari:** Thank you very much for the response, Minister. These same Thornhill residents and business owners have expressed to me that they have benefited as a result of this government's direction in investing in a strong economy by cutting taxes, which has created jobs. Many of those jobs are in Thornhill. Thornhill parents have lobbied for and will benefit from the education credit once it is implemented. They are now deeply concerned and want to know if this unforeseen attack will throw off your fiscal plan.

**Hon Mr Flaherty:** I thank the member for Thornhill again for the question. In the budgeting process in Ontario this year we built in a reserve. The reserve, which has been built into all our budgets since 1995, is designed to address contingencies, unforeseen circumstances, slowdown in economic growth. That reserve may well have to be used during the current fiscal year, as it is intended to be used, in order to arrive at a balanced

budget. That's important. That's prudent fiscal planning done by the government of Ontario.

We do have low, competitive taxes. We have two major stimuli in the economy now: continuing tax reductions, which have been in place in Ontario since the beginning of 1995-96 and more recently by the federal government, and the very substantial infrastructure spending by this government that is happening now: hospitals, universities, colleges—in excess of \$2 billion going into the economy as a result of previous good capital planning by the government.

### HATE CRIMES

**Mr Michael Bryant (St Paul's):** My question is for the Attorney General. It's on hate crimes. No one could have anticipated the number of hate crimes that are taking place in Ontario right now because nobody could have anticipated the events of September 11. We're in this new world. We cannot bury our heads in the sand, but I think we ought to be careful also not to fan the embers of fear. So let's look at the facts.

Hate crimes have tripled, at least in Toronto, since September 11—tripled. There have been incidents reported in Ottawa, Oshawa, St Catharines, Toronto and Hamilton, among other cities. There is also a great fear, especially within the Canadian Muslim community. Events are being cancelled. It is not just one community; it is really all visible minorities.

In this new reality, in this new world, you are charged with the administration of justice. What changes are you making to respond to this new rash of hate crimes in Ontario?

**Hon David Young (Attorney General, minister responsible for native affairs):** I thank the member opposite for the question. This is a very serious matter, and on every occasion possible I have spoken out about what I find to be irresponsible, reprehensible examples, the worst type of examples, of individuals within our society. By and large, we have a society that is respectful of everyone, as it should be. The member is quite right that there have been some instances, few and far between, but some instances of hatred that have been demonstrated. That sort of mindless, wanton activity will not be tolerated. I have spoken to a number of representatives from the police forces across this province, who are taking this very seriously, who are conducting investigations. If and when they come to me with information that would suggest a charge is warranted, I will give it due and proper consideration. It will be prioritized.

**Mr Bryant:** In this time of fear and insecurity, it's important for people to be briefed, to the extent to which the justice ministers can, on an ongoing basis, to provide information about hate crime incidents, perhaps correct some myths, provide updates on arrests and perhaps convictions and prosecutions. I haven't been able to determine whether or not there is a hate crimes database

province-wide, but if we don't have one, I think we're going to need one.

Hate crimes officers and prosecutors specializing in hate crimes in Ontario: if we have triple the hate crimes right now, clearly we're going to have to have more officers in place, particularly for those regions outside of the major urban centres in the province.

I think we also have to do what we can to prevent hate crime through education campaigns in the public schools and at the doorstep. There is much that we can do. I hope the Attorney General takes these and many other calls for reforms to update the administration of justice for hate crimes. I'd like to know which, if any, of these reforms the ministry may be looking to or be given some specific examples of ways in which we are making those reforms.

**Hon Mr Young:** The member opposite raises some good points. I'm certainly prepared to sit down and talk to him about some of the initiatives he has referenced this day. I will, though, if I may, also talk about some initiatives that we have come forward with.

In October 1998, there was a federal-provincial-territorial conference at which all of the Attorneys General from across Canada—that's all of the provincial Attorneys General and those from the territories—agreed that the Criminal Code should be amended in order to reflect what we at that time anticipated may be a growing problem in certain regions. We all agreed. We presented it to the federal Liberal government at that time and asked them to expedite passage of these amendments. Unfortunately, the silence has been deafening. There has been no such amendment. Frankly, I'm not even sure they have drafted any bills that would allow us to do what the member opposite indicates, and I agree, should be done.

1520

## TOURISM

**Mr Bart Maves (Niagara Falls):** My question is for the Minister of Tourism, Culture and Recreation. As we begin to come to terms with the tragedy of September 11, one of the things that has surfaced in my riding is the effect on tourism. Tourist attractions in my riding, as well as the hotels, restaurants, travel agents and shops that rely on tourism, have seen a drop in attendance. What can you tell me about the impacts this tragedy is having and will have on the tourism industry?

**Hon Tim Hudak (Minister of Tourism, Culture and Recreation):** I thank the member from Niagara Falls for the question. I certainly appreciate the efforts he's making in his community to come to grips with the impact on tourism, especially from delays at the border that we experience in the aftermath of the terrorist attack of September 11. Certainly I want to say, as a member representing a border area in this province with many families directly impacted by the terrorist attack, that my heart is with them, our friends and colleagues and friends across the border.

And certainly it was an attack not simply on the United States but an attack on all of us. No doubt the member is right: as soon as the attack took place, the world stood still. Travel was suspended and immediately after that we saw some delays at the border. My view is we can't let the terrorists win and keep us in our homes. I'd encourage Ontarians who are looking to travel across this province to go to the Oktoberfest, the Butterfly Gallery, or Winterfest in Fort Erie and to continue to do so. We are a safe and secure jurisdiction. We want to make sure it continues to be a safe and secure jurisdiction and to invest in this industry.

**Mr Maves:** Thank you, Minister, for that answer. Our Premier said earlier this week that we must not let those who carried out these evil acts succeed in their goal of undermining our way of life. Ontario's strong, vibrant industries, including tourism, have always been a vital part of our way of life. Can you tell this House and my constituents what you are doing in your role as Minister of Tourism to address this situation?

**Hon Mr Hudak:** Again, I appreciate the member's question. In fact, immediately after the attack we ensured that our offices stayed open extended hours. We kept the 1-800 line open longer to reassure tourists considering travelling to Ontario and within Ontario that we are safe. We kept updates on the borders in terms of waits, which are way down. Tourists coming across the border should not have concerns about waits at the border and should continue their travel to the province of Ontario.

We are monitoring on a daily basis statistics from our areas in terms of how they're feeling the impact on us of the attack of September 11. I'm calling together tourism stakeholders from across this province and from the regions, the major industries like the hotel and motel association, on Friday. Meetings are going on today as well to make sure that we have a plan in place to respond, to get the word out of the great attractions we have here in the province to encourage those in Ontario or who are coming to visit they should continue to do so and to spend money in our hotels, our attractions and our communities to help to continue to grow what was an outstanding summer up until the events of September 11.

## EDUCATION FUNDING

**Mr Rosario Marchese (Trinity-Spadina):** To the Minister of Education: your Premier, in my view, deserves a failing grade for his fabricated education numbers. This year's public accounts show—

**The Speaker (Hon Gary Carr):** Order. You've got to withdraw the word "fabricated."

**Mr Marchese:** Withdrawn, Speaker.

This year's public accounts show that in 2001, you spent \$7.965 billion. That's \$60 million less than in the year 2000. The figures belie your claim that you're investing more in our schools. Why are you spending less?

**Hon Janet Ecker (Minister of Education, Government House Leader):** First of all, I'm surprised the honourable member from the opposition party has that

little faith in our Provincial Auditor. Provincial spending on education is up. For example, in 1995, we were spending \$12.9 billion on our education system. Today, we are spending \$13.8 billion. Even with the NDP math, that is an increase. That is also an increase that is larger than the growth of enrolment in the schools which, again, I think proves the intent of this government to continue to invest in public education, that it is indeed a priority for us. We will continue to keep it the main and major priority of this government because it underpins not only economic prosperity in this province but it also underpins our quality of life.

**Mr Marchese:** I have full faith in this document, and I'm reading from it. It is page 31. It says that in the actual year 2000, you were spending \$8.024 billion, and the actual spending in 2001 is \$7.965 billion. I have absolute faith in the numbers.

Hugh Mackenzie, an economist, has said that you are spending \$2.3 billion less now, accumulated over your stint in government, than you did before. Everyone involved in education knows that except you, the Premier and your members there. You're spending less on education and the effects are being felt in the classroom. What we need is a student-based funding formula that will lift student achievement. That's what people, educators and parents want. Parent groups and educators are telling me this. I'm sure they're telling you the same thing. Are you going to listen?

**Hon Mrs Ecker:** I had thought we had provided a briefing for the NDP party on how education is financed. You're talking about half of what gets put into education. It's not \$7 billion or \$8 billion; it's \$13.8 billion. That's the first point.

Secondly, yes, I am familiar with the report that particular Mr Mackenzie put out. He put in an inflation factor that included things like the price increase in the cost of cigarettes. The last time I checked, school boards weren't purchasing cigarettes for their kids.

Finally, maybe he wants to measure the success of how our students learn by how much we spend, but how much we spend does not mean the kids learn better. It's what they're taught in the classroom; it's the curriculum they have; it's the quality of their teaching; it's the quality of the parental involvement; it's the ability to measure and test; it's the ability to put strategies in place. The research and best practices are very clear: that's what improves student achievement.

#### COMMUNITY CARE ACCESS CENTRES

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** My question is for the associate Minister of Health and Long-Term Care. Last week the Kingston, Frontenac, Lennox and Addington Community Care Access Centre placed an ad in the Kingston Whig-Standard that informs the public of its plan to significantly reduce admissions to home health care for several weeks, beginning on September 17, 2001. It further directs that if an individual is expecting

to have a medical procedure that may require nursing or other health services at home, to contact their physician to discuss their plans. Administrators in the local hospitals clearly indicate that this announcement will result in delays for surgeries, block admissions to hospital and lengthen hospital stays.

The CCAC decided to limit admissions after it was told by your ministry that it must live within its base budget of \$25 million. Clearly, the withdrawal of service is as a result of your underfunding. You have forced this CCAC to restrict essential health services for a period of six weeks. Will you commit today to answer the need so desperate within this community and provide the dollars that they need to operate the CCAC and meet the needs of the people in our community?

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** I'd like to thank the member opposite for the question. The first concern of this government is the care and the services in health that need to be provided to our communities. We work hard to do that. In the CCAC in the Kingston area, the dollars have increased substantially from 1995 to 2000. They have increased from \$20 million to \$25 million, a substantial increase.

We are disappointed in the tactic, the way the board has decided to move forward to stay within the budget. It would be our preference that the board work with the Ministry of Health to ensure that people have the services they need in the community. We certainly are providing increased funding to make sure that happens.

As the member knows, there's a review of CCACs happening in the province of Ontario, and the Kingston area will be one of the first that we'll look into.

**The Speaker (Hon Gary Carr):** Supplementary.

**Mr John Gerretsen (Kingston and the Islands):** Minister, the advertisement specifically states that reductions will introduce waiting lists for admissions for people coming out of hospitals. You have funded that community care access centre by \$2 million less than last year. Last year you spent \$27 million; this year you're only allocating \$25 million to them. People will be coming out of hospitals and put on waiting lists because of your policies of closing beds and closing hospitals under the guise that people would get community health care. Can you at least not live up to your commitment and your promise when you closed all the hospitals and all the beds and make sure that the community health care is available for the people not only in the Kingston area but throughout this province? That's the least that you owe to the taxpayers and the citizens of this province. We demand nothing less from you.

**Hon Mrs Johns:** This government places a very high priority on ensuring that the people of Ontario receive quality health care as close to home as they possibly can. Let me remind the members opposite that since 1994-95, this government has increased home care spending by 72%, on average, across the province.

There is no question that these new agencies have some growing pains. We've undertaken a review to

ensure that we are effectively delivering quality health care through the CCACs. We continue with that review.

But let me remind the people of Kingston that the budget for home care in this area has moved from \$20 million in 1994-95 to an unprecedented \$25 million.

1530

### WORKFARE

**Mr Doug Galt (Northumberland):** My question is directed to the Minister of Community and Social Services. This summer you visited Northumberland and many other communities across Ontario. That was to highlight their success in meeting the targets of the Ontario Works placement program. I know that in my community there has been a really positive response from staff as well as clients. In fact, in Northumberland county it more than doubled its goal for placements.

Minister, I know this program has been a big success in Northumberland. Of course, we like to brag about our own riding, but could you tell us how this has been working in other areas and the kinds of challenges they've been meeting.

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs):** Back in 1995 we set about to change a welfare system that wasn't working for people. It wasn't helping people make that important transition from welfare to work. People in Northumberland haven't just done a good job; they've done a phenomenal job. The member opposite I think isn't telling the full story. They didn't just meet the target or double it; in fact, they met the target with a 244% rate, which is something that is to be commended. Not only did they meet the target, but indeed 44 of the 47 municipalities, consolidated municipal service measures, right around Ontario met the target. That is good news for people who are looking for work; it's good news for people who want the skills and want the experience they need to make that important transition. We're seeing people get job references; we're seeing people boost their self-esteem; we're seeing people get some recent experience to put down on their next job application. That's something that's absolutely essential for them to make that transition from welfare to work.

Workfare and work-for-welfare is working in the province of Ontario.

**Mr Galt:** Minister, outside of the benefits to clients, there's also a tangible benefit given to each municipality. Of course, they save on the welfare payments and they save on administration, but also in my community they've put over \$300,000 into our coffers, money that will be used to support projects that help the disabled find work and support literacy programs offered by Sir Sandford Fleming College. Other local agencies such as Northumberland County Community Care and the Salvation Army have also benefited from this extra funding.

Minister, how much money has been allocated across the province, and what is it being used for?

**Hon Mr Baird:** One of the commitments we made back in 1999, in the Blueprint, was to reward municipalities that not just met the target but in fact exceeded it. The member opposite has spoken of the \$309,000 that Northumberland has been able to earn on behalf of the hard-working taxpayers of that area, a committed group of staff and community agencies. What a difference that's making in Northumberland to places like Youth Rebound Services, where they're able to do more to help kids facing a drug problem; whether it's helping special-needs children, whether it's helping the disabled, providing more supports for the disabled, or providing additional support for the chronically unemployed.

That's one of the most amazing things you have. In the province you have people reinvesting part of this \$33 million into helping more people beat the welfare trap, which is exceptionally good news. Around the province we're seeing more people get the skills and experience they need to meet the challenges of the workforce, whether this comes to more training, more social services or providing more supports to children, which is good news. I want to congratulate the entire team in Northumberland and the member for making the work-for-welfare program work in Northumberland.

### HEALTH SERVICES IN WINDSOR

**Mrs Sandra Pupatello (Windsor West):** My question is for the Deputy Premier-slash-Treasurer. The Premier is arriving in Windsor on Monday, October 1. This is about his second visit in the last six years. My question for you is this: I'd like to know what investments the Premier is bringing with him to my city especially to bolster our health system.

I'd like to tell you that in your own Health Services Restructuring Commission report, one that you mandated that we must follow, it called for innumerable changes to health delivery and investments in our community in health. As an example, one of the reports called for one of our hospitals to be closed two and a half years ago, but it hasn't happened, because your government has not properly funded the reconstruction of the system.

I'm asking you this: what will the Premier bring with him in investments in our health system when he comes to visit Windsor on Monday?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** I thank the member from Windsor-slash-Essex for the question, since we're exchanging slashes this afternoon, if we can do that. The Premier, as I understand it, is going to Windsor next week. I enjoyed seeing the member opposite in Essex county in August, I think it was, when we honoured the mayor.

Health care spending, as the member knows, has increased in Ontario from \$17.6 billion in 1995-96 to \$23.5 billion in 2001-02. I'm sure the member opposite appreciates that that is a very substantial increase in spending. It moves the program spending in health care to about 45% of the provincial program spending budget—a very substantial commitment to the health and

well-being of people in Ontario, including of course the people of Essex.

**Mrs Papatello:** I can tell you what he's taking. He's going to be taking money from our community to the Conservative Party coffers, which is the purpose of his visit. We particularly find it galling to see that he comes to my community for maybe the second time in six years after what he has done to our health system.

I can tell you that we need access to doctors; we need access to specialists; we need children's mental health services; we need good, tuned, operating emergency rooms; we need operating rooms. We need all of these things that you have not provided for us because you have not kept pace with your own Health Services Restructuring Commission report.

I want to know, what is the Premier bringing with him? We've requested innumerable things over the last six years. Even your health ministers agree these things are required. Treasurer, I am asking you, what is the Premier bringing with him when he comes to visit us in Windsor on Monday?

**Hon Mr Flaherty:** The member opposite raises the issue of fundraising. Her leader said in Kitchener on April 8, 2000, in a scrum, "We just ramp up our ability to raise them. I'm not for getting mad, I'm—we're getting even, and that means we've got to get in the game and become much more aggressive."

The Leader of the Opposition said on CFRA, November 8, 1999, "Greg (Sorbara) is a former cabinet minister and the—a business person and he has a particular knack for fundraising which is a very important objective when it comes to modern politicking." That's Dalton McGuinty's view of the importance of fundraising for the Liberal Party of Ontario.

#### PROFESSIONAL ACCREDITATION

**Mr John O'Toole (Durham):** My question is for the Minister of Training, Colleges and Universities. You know for certain that the Conference Board of Canada released a study on Monday calling on the federal government to take greater steps to help skilled immigrants practise their chosen profession in Canada. But many aren't able to practise because the education and experience they've earned abroad may not correspond to the standards and requirements we have here in Ontario.

Minister, you know this is happening at a time when employers in my riding are concerned about the short supply of available skilled labour. Could you tell the House today the steps Ontario, and specifically your ministry, is taking to help foreign-trained professionals enter the workforce and contribute to Ontario's strong economy?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** In response to the question from my colleague, Ontario, as we all know, is home to more than half of all immigrants who choose to come to Canada. Some 72% of working-age immigrants arrive here after

completing some post-secondary education or training. Different jurisdictions have different standards across our country, and many new Ontarians find themselves in a position where they are not able to practise in their field despite previous education or experience.

Many new Ontarians need assistance in meeting the skills requirements. That is why our government announced \$12 million in new spending to help foreign-trained professionals put their skills to work in Ontario. These funds will support new bridging programs that build on the previous experience of immigrants and focus on preparing them to practise in Ontario. It's a substantial increase over the \$3.5 million invested in the previous year to support bridging projects for pharmacists and nurses.

1540

**Mr O'Toole:** Thank you, Minister, for investing in people and investing in new Ontarians. As you know, skill shortages have a negative effect, not only on the economy, but they threaten our very quality of life.

I have a particular case in my riding, because we have a physician shortage, of a person I have spoken with, a constituent, Lillian Lockyer, who is a physician trained in China and would like to resume her career here in Canada. Business and other industry have also spoken to me about the need for finding the skilled workers they require, especially in trades.

Would you not agree that we should be paying special attention to areas where our province is facing skill shortages, and will these funds be targeted to address these demands in our economy?

**Hon Mrs Cunningham:** In answer to the member's question, we'll also spend \$9.3 million through our Job Connect program. This is to help newcomers prepare for the job market through training information and employment preparation.

The honourable member is quite right when he points out that the supply of skilled, knowledgeable workers is important to our economy. He's always been extremely interested in working with his own college to make sure that the needs of his community are met.

The \$12 million in funding will support bridging programs in health care, information technology and engineering where we need trained professionals in these jobs, where we know that they're well paid and where we know that we will be meeting the demands.

We're going to continue to work with trainers, educators and occupational regulatory bodies to eliminate skill shortages. Bridging programs are important, Job Connect is important and the community is important.

Thank you for this opportunity to take the appropriate time in answering this important question.

## PETITIONS

### ATTAQUE CONTRE LES ÉTATS-UNIS

**M. Jean-Marc Lalonde (Glengarry-Prescott-Russell) :**

J'ai ici une pétition qui m'a été remise par la station de radio CJRC, la radio de l'information de l'est ontarien et de l'ouest du Québec. Cette pétition a été signée par plus de 1 400 personnes.

« À l'Assemblée législative de l'Ontario :

« Attendu que le constable Danno Cusson de la PPO et son chien ont été impératifs à sauver deux personnes et à trouver les personnes décédées dans la terrible tragédie à New York ;

« Attendu que sa participation était essentielle pour poursuivre les recherches de victimes dans les ruines du World Trade Center à New York ;

« Attendu que le gouvernement provincial de l'Ontario a offert son aide dans cette affreuse tragédie ;

« Nous, les soussignés, présentons la pétition suivante à l'Assemblée législative de l'Ontario :

« Que la police provinciale de l'Ontario refuse la démission du constable Danno Cusson et lui accorde son congé sans solde pour des raisons humanitaires. »

### COMMUNITY CARE ACCESS CENTRES

**Mrs Sandra Papatello (Windsor West):** To the Legislative Assembly of Ontario:

"Whereas the Mike Harris government promised to institute patient-based budgeting for health care services in the 1995 Common Sense Revolution; and

"Whereas community care access centres now face a collective shortfall of up to \$175 million due to a funding rollback by the provincial government; and

"Whereas due to this funding rollback, community care access centres have cut back on home care services affecting many sick and elderly Ontarians; and

"Whereas these cuts in services are forcing Ontarians into more expensive long-term-care facilities or back into hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately lift the funding freeze for home care services, so as to ensure that community care access centres can provide the services that Ontario's working families need."

I am very pleased to present this petition on behalf of people from Brockville, Kemptville and a number of other places around the Ottawa East area.

### LORD'S PRAYER

**Mr John O'Toole (Durham):** I am pleased to submit a petition on behalf of my constituents, Harmony United Church in Oshawa, specifically Betty Greentree.

"To the Legislative Assembly of Ontario:

"Whereas the Lord's Prayer, also called Our Father, has been used to open the proceedings of municipal

chambers and the Ontario Legislative Assembly since the beginning of Upper Canada in the 18th century; and

"Whereas such use of the Lord's Prayer is part of Ontario's long-standing heritage and a tradition that continues to play a significant role in contemporary Ontario life;

"Whereas the Lord's Prayer is the most meaningful expression of the religious convictions of many Ontario citizens;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario maintain the use of the Lord's Prayer in its proceedings, in accordance with its long-standing established custom and do all in its power to maintain use of this prayer in municipal chambers in Ontario."

I submit this on behalf of Jan Bathgate and a number of other constituents in my riding of Durham.

### SAFE STREETS LEGISLATION

**Mr John C. Cleary (Stormont-Dundas-Charlottenburgh):**

"To the Parliament, Legislative Assembly of Ontario:

"Whereas the squeegee kid law was set up to stop squeegee kids from hassling motorists, we believe that the law has gone too far; it has now stopped the Lions Club of Chesterville from raising money for the Children's Hospital of Eastern Ontario.

"This law has to be changed to exclude non-profit organizations, otherwise the various fire department fundraisers, fundraising parades etc will have to cease and desist immediately;

"We, the undersigned, petition the Parliament, Legislative Assembly of Ontario to rewrite the squeegee kid law to exclude all non-profit organizations."

I've also signed the petition.

### PROTECTION OF MINORS

**Mr Bob Wood (London West):** I have a petition signed by 1,010 people.

"Whereas children are being exposed to sexually explicit materials in many commercial establishments;

"Whereas many municipalities do not have bylaws in place to protect minors and those that do vary from place to place and have failed to protect minors from unwanted exposure to sexually explicit materials;

"Whereas uniform standards are needed in Ontario that would make it illegal to sell, rent, loan or display sexually explicit materials to minors;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass Bill 95, Protection of Minors from Sexually Explicit Goods and Services Act, 2000, as soon as possible."

## SOCIAL SERVICES

**Mr Dwight Duncan (Windsor-St Clair):** A petition to the Legislative Assembly of Ontario:

"Whereas the provincial government has damaged public health care by slashing funding and engaged in ill-advised restructuring;

"Whereas the provincial government has slashed funding for social assistance, therefore forcing welfare recipients to live in more poverty;

"Whereas the provincial government's refusal to raise minimum wage is forcing low-income workers to live in poverty;

"Whereas the provincial government's removal of the Rent Control Act has forced residents of this province to become homeless;

"Whereas the provincial government's refusal to commit itself to building new affordable housing is forcing people to either live on the street or in the hostel system;

"Whereas the provincial government has shut down schools and instituted Bill 74, causing unrest in the school system;

"We, the undersigned, petition to make the following demands of the Legislative Assembly of Ontario:

"That the government of Ontario repeal Bill 74; reopen schools, hospitals and psychiatric institutions that have been closed; make a commitment to building new social housing; reinstate the Rent Control Act; reinstate all funding to social assistance programs and health care; and raise the minimum wage.

"If the government of Ontario is not prepared to act on these issues, we demand that the government resign."

## KIDNEY DISEASE

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas we the undersigned residents of Ontario draw the attention of the Legislature to the following:

"Kidney disease is a huge and growing problem in Canada;

"Real progress is being made in various ways of preventing and coping with kidney disease.

"We, the undersigned, petition the Legislative Assembly of Ontario to encourage the Canadian Institutes of Health Research to explicitly include kidney research as one of the institutes in its system, to be named the Institute of Kidney and Urinary Tract Diseases."

I agree with the petitioners. I've affixed my signature to it.

## PROTECTION OF MINORS

**Mr Bob Wood (London West):** I have a petition signed by 734 people.

"Whereas children are being exposed to sexually explicit materials in many commercial establishments;

"Whereas many municipalities do not have bylaws in place to protect minors and those that do vary from place to place and have failed to protect minors from unwanted exposure to sexually explicit materials;

"Whereas uniform standards are needed in Ontario that would make it illegal to sell, rent, loan or display sexually explicit materials to minors;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass Bill 95, Protection of Minors from Sexually Explicit Goods and Services Act, 2000, as soon as possible."

**The Deputy Speaker (Mr Michael A. Brown):** Petitions? The member for St Catharines.

1550

## HEALTH CARE FUNDING

**Mr James J. Bradley (St Catharines):** Thank you very much, Mr Speaker. I always love Algoma-Manitoulin.

This is to the Legislative Assembly of Ontario:

"Whereas many residents of St Catharines and other communities in Ontario are unable to find a family doctor as a result of the growing doctor shortage we have experienced during the tenure of the Harris government;

"Whereas cancer patients in Ontario requiring radiation treatment face unacceptable delays and are often forced to travel to the United States to receive medical attention;

"Whereas many prescription drugs which would help patients with a variety of medical conditions such as macular degeneration, multiple sclerosis, arthritis, diabetes and heart failure are not covered by OHIP;

"Whereas many assistive devices that could aid patients in Ontario are not eligible for funding from the Ontario Ministry of Health;

"Whereas community care access centres have inadequate funding to carry out their responsibilities for long-term and home care;

"Whereas the Harris government has now spent over \$240 million on blatantly partisan government advertising in the form of glossy brochures and television and radio ads;

"We, the undersigned, call upon the Conservative government of Mike Harris to immediately end their abuse of public office and terminate any further expenditure on political advertising and to invest this money in health care in the province of Ontario."

I affix my signature.

## NORTHERN HEALTH TRAVEL GRANT

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Ontario Legislature. It reads as follows:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners

who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

"Whereas a cancer tumour knows no health travel policy or geographic location;

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services as residents living elsewhere in the province; and

"Whereas we support the efforts of OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

This is signed by 132 residents in the Nickel Belt riding. I agree with the petitioners.

#### NURSES

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the nurses of Ontario are seeking relief from heavy workloads, which have contributed to unsafe conditions for patients and have increased the risk of injury to nurses; and

"Whereas there is a chronic nursing shortage in Ontario; and

"Whereas the Ontario government has failed to live up to its commitment to provide safe, high-quality care for patients;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Ontario government take positive action to ensure that our communities have enough nursing staff to provide patients with the care they need. The Ontario government must:

"Ensure wages and benefits are competitive and value all nurses for their dedication and commitment; ensure there are full-time and regular part-time jobs available for nurses in hospitals, nursing homes and the community; ensure government revenues fund health care, not tax cuts; ensure front-line nurses play a key role in health reform decisions."

There are now 13,840 names on this petition, and I affix my signature in full agreement with their concerns.

#### HOME CARE

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the need for home care services is rapidly growing in Ontario due to the aging of the population and hospital restructuring; and

"Whereas the prices paid by community care access centres to purchase home care services for their clients are rising due to factors beyond the control of community care access centres; and

"Whereas the funding provided by the Ontario government through the Ministry of Health and Long-Term Care is inadequate to meet the growing need for home care services; and

"Whereas the funding shortfall, coupled with the implications of Bill 46, the Public Sector Accountability Act, currently before the Legislature are forcing CCACs to make deep cuts in home care services without any policy direction from the provincial government;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) That the Legislative Assembly direct the provincial government to take control of policy-setting for home care services through rational, population-based health care planning rather than simply by underfunding the system; and

"(2) That the Legislative Assembly direct the provincial government to provide sufficient funding to CCACs to support the home care services that are the mandate of CCACs in the volumes needed to meet their communities' rapidly growing needs; and

"(3) That the Legislative Assembly make it necessary for the provincial government to notify the agencies it funds of the amount of funding they will be given by the government in a fiscal year at least three months before the commencement of the fiscal year."

This continues to be a huge issue in my riding. This petition is signed by 1,700 people who live in the Sudbury basin. I agree with them and I call on the government to fund CCACs adequately.

#### DOCTOR SHORTAGE

**Mr Michael Gravelle (Thunder Bay-Superior North):** The physician shortage crisis continues to be the number one issue and priority for constituents in my Thunder Bay-Superior North riding. We have 40,000 people who do not have a family physician.

I have a petition signed by over 40,000 people. It reads as follows:

"To the Legislative Assembly of Ontario:

"Our community is facing an immediate, critical situation in accessing physician services and in providing hospital care to the people of northwestern Ontario. While the recruitment and retention of physicians has been a concern for many years, it is now reaching crisis proportions. Training more physicians in northern Ontario is certainly the best response to this problem in the longer term. We are, however, in urgent need of support for immediate short-term solutions that will allow our community both to retain our current physicians and recruit new family doctors and specialists in seriously understaffed areas.

"Therefore, we, as residents of Thunder Bay and northwestern Ontario, urge you to respond to our

community's and our region's critical and immediate needs. For us, this is truly a matter of life and death."

Thunder Bay Television is holding a special live town hall next week which will be part of this issue being discussed.

I'm glad to sign this.

## COMMUNITY CARE ACCESS CENTRES

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the Mike Harris government promised to institute patient-based budgeting for health care services in the 1995 Common Sense Revolution; and

"Whereas community care access centres now face a collective shortfall of \$175 million due to a funding rollback by the provincial government; and

"Whereas due to this funding rollback CCACs have cut back on home care services affecting many sick and elderly Ontarians; and

"Whereas these cuts in services are forcing Ontarians to more expensive, long-term care facilities or back into hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately lift the funding freeze for home care services so as to ensure that community care access centres can provide the services that Ontario's working families need."

I will affix my signature to this petition.

## ORDERS OF THE DAY

### RESCUING CHILDREN FROM SEXUAL EXPLOITATION ACT, 2001

LOI DE 2001

### SUR LA DÉLIVRANCE DES ENFANTS DE L'EXPLOITATION SEXUELLE

Resuming the debate adjourned on September 25, 2001, on the motion for second reading of Bill 86, An Act to rescue children trapped in the misery of prostitution and other forms of sexual exploitation and to amend the Highway Traffic Act / *Projet de loi 86, Loi visant à délivrer les enfants prisonniers de la prostitution et d'autres formes d'exploitation sexuelle et modifiant le Code de la route.*

**Mr Peter Kormos (Niagara Centre):** I've got one hour and, as I indicated yesterday, we in the New Democratic Party take the bill very, very seriously. We take the issue—who couldn't?—incredibly seriously, and we have some great sympathy with the motive behind the bill. We're talking about child prostitutes. We're talking about young women and men prostituting themselves and being exploited, abused, victimized by johns. We're talking, with respect to this bill, about youngsters

working in—the bill so politely calls them adult entertainment parlours—strip clubs. We're talking about youngsters, children working in the pornographic film industry.

Who in their right mind wouldn't want to find some mechanism to intervene and protect these young people from the incredibly dangerous and repugnant world that these activities are one part of and that these activities lure them further and further into? No two ways about it. The members of the New Democratic Party caucus are taking this bill very seriously, taking the issue incredibly seriously. With me right now is Ms Martel. I know Ms Martel—she'll be speaking to the bill—has an incredibly intense commitment to children and young people and safeguarding them here in the province of Ontario.

1600

The members of this caucus, first of all, have read the bill, and we've read it very carefully. We've read it over, and we've read its predecessor, which was the private member's bill which prompted this bill from the government. And we participated in the public hearings around that private member's bill when it reached the hearing stage prior to the prorogation of this House, which effectively killed that bill. Again, the government, as was its right, reintroduced it in somewhat different form.

We've indicated already—we indicated at the point of first reading of the bill when the Attorney General announced it in the House and we indicated yesterday—that we, at this point, because we have some incredible concern about the activity which is being addressed here, child prostitution, are eager to see this bill go to committee. We made it clear at the same time, though, that we're very troubled by some elements of the bill, but that we are not at this point going to vote against the bill. We encourage and support this bill going to committee so that perhaps some comment could be made on some of the concerns that we in the New Democratic Party have about the legislation.

One of the most fundamental problems I have—the line has been used: "rescuing" young children. Fair enough. But the reality is that what the bill does to children and other youngsters, for whom the bill facilitates an intervention, is that these people are victims. Huh? No two ways about it. These children are victims. It locks them up for up to 30 days.

I understand the motive. This is an effort to legitimize an intervention. For instance, police officers and police forces, in the last round of committee hearings, expressed great interest in the bill. They said, "Look, we need this tool because we're out there on the streets of Toronto and other cities in this province, seeing kids out there on the street who we know are being pimped off, or kids, youngsters, being lured into the strip clubs here in Toronto, down in Niagara Falls, in any number of places across this province; dancing and lap dancing." It's come a long way from the Victory Burlesque in the 1940s. You know that as well as I do. It's been well publicized,

what's happening in these strip clubs, in such a sanitized way being called "adult entertainment parlours." Please.

So we understand why police officers, police forces would say, "Yes, we need a tool that enables us to intervene." You see, one of the problems that we'd better understand is that prostitution is not illegal in Canada. Whether you agree with that proposition or not, it never has been illegal, it's not illegal now. If it were, page after page of escort services in the Bell telephone Yellow Pages wouldn't exist.

Prostitution is not illegal. Police cannot arrest somebody, male or female, for being a prostitute or for, let's say, engaging in the trade or practice of prostitution. That's number one.

Number two—and this is where the bill gets a little interesting, because you see, as well as reading the bill I encourage members to read the Child and Family Services Act, and especially the part that deals with a child in need of protection, because this bill, Bill 86, in fact borrows much of the language and process from the Child and Family Services Act. The reality is that the Child and Family Services Act is a far more effective tool for an intervention than Bill 86 is.

Please read the Child and Family Services Act. When a child in need of protection is brought before a judge pursuant to the Child and Family Services Act, the judge isn't limited to confining that young person for 30 days in a lock-up. That's what Bill 86 says; they can be locked up. A child who is confined in what we call a—there is no definition here of "safe facility." That responsibility is delegated over to children's aid, as we know it colloquially, family and children's services. A child who is confined may be confined in a locked facility or in a locked area, and the maximum is 30 days.

There is nothing in the bill that indicates what that young person who is locked up for 30 days—for being the victim. I've got to tell you, this runs contrary. What are we doing? The world has turned upside down. We're locking up victims. We should be locking up the pimps and the johns and the operators of the adult entertainment parlours and strip clubs, with their private VIP rooms etc. That's who we should be locking up. We should be locking up the purveyors of porn and the manufacturers of it, not the people who are being victimized by the johns and the strip club operators, with their more often than not intimate relationships—I'm talking about the strip club operators—with any number of elements in the community: perhaps from time to time biker gangs, perhaps from time to time organized crime, the porno industry. If pornography isn't an activity of organized crime or a manifestation of it, what is? This bill doesn't facilitate locking up the perpetrators of crimes; we're locking up kids.

I understand the motivation. Your imagination doesn't have to run overtime to think or imagine or start to understand the incredible desperation of a family who has lost a child to the streets; parents who know that their kid is out there prostituting himself or herself and being victimized over and over again and being lured into the

world not just of that horrible assault on young people but into a world of drugs, part and parcel, and a real downward spiral from which recovery is, I suspect, more often than not mere hope as compared to a real prospect.

We New Democrats don't believe that you should be locking up victims. We don't believe it. We have real trouble with that proposition in the bill. Again, we align ourselves and side with any member or any party in this Legislative Assembly that says, "We're going to do things to come to the aid, to come to the defence, to come to the protection of kids."

Let me put this to you. As I told you, after first reading of this bill, I would have been very pleased to see and hear the Attorney General stand up and announce a public inquiry into the events in Cornwall. Where is the passion for kids when it comes to the incredible litany of sexual assaults on young people in Cornwall? No response from this government to that. Notwithstanding the best efforts of some of their leading members to provoke them into doing it, notwithstanding evidence that's been put before this assembly and to the public by the government's own member, it's been futile. The efforts to persuade this government to call a public inquiry into that horrendous set of allegations around sexual assaults on young children in Cornwall have been dismissed. Advocates for those children in Cornwall have been told to go away. "Quiet up. Don't talk to us about conspiracies and sex rings," notwithstanding that there seems to me to be more than adequate evidence to support a call for a public inquiry so that the victims can begin to witness some justice and so that the perpetrators of some of the most horrific crimes that could ever be committed can be brought to justice.

1610

The government says, "We're going to really go after the pimps and the johns. We're going to teach them a lesson: we're going to suspend their drivers' licences." Please. The last thing a pimp, who has his group of teen-aged women or men working for him out there, bringing in big cash, is concerned about is, "Oh, the Ministry of Transportation is going to suspend my licence." Sorry, that doesn't cut it, and I don't find it particularly impressive or comforting.

I appreciate that the government is limited jurisdictionally in the extent to which it can impose penalties, and suspension of licences is one of the things that the government can constitutionally do. Fair enough; it's one of the things. Quite frankly, the last time we heard the same amount of fanfare about suspension of licences—Ms Martel knows about this—was with respect to delinquent dads. It isn't always dads; I should be careful: delinquent parents.

**Ms Shelley Martel (Nickel Belt):** Payers.

**Mr Kormos:** Payers of child support. Good grief, for my constituency office and the staff down there in Niagara Centre, just like Ms Martel's staff, trying to get licences of delinquent payers pulled has been, again, a pretty futile exercise.

I'm not overly convinced of the capacity or competence of this government to engage in even that seemingly mere bureaucratic exercise of, "We've identified the delinquent payer. We know where he or she lives. We've got their address. We've got the licence plate number of their car." Look, it hasn't worked.

**Ms Martel:** They still drive.

**Mr Kormos:** That's right. Ms Martel is behind me, prompting me to say, and I'll say it, because she's right, these guys still drive, because the likelihood of getting apprehended is marginal.

So I'm not convinced that suspending pimps' licences is going to be a significant deterrent. Oh, yes, there's Joe Pimp: "Oh, no, I better be careful about my pimping activities, because, boy, oh, boy, if I keep pimping, they're going to pull my driver's licence." Sorry, it's not a likely scenario. Look, what it is, that's a little bit of icing on the cake here. "Let's throw that in and just sort of round it out."

The bill defines three classifications of activity that will permit an intervention under Bill 86. I made some special notes around the language used, and I'm hoping the parliamentary assistant will listen, if only to this part, of my comments.

They're saying that people under 18 engaging in prostitution permits an intervention on reasonable and probable grounds. Under most circumstances, one would hope the police officer would go to a justice and obtain a warrant to seize that person. However, the bill—and, again, this isn't what's particularly offensive, because other legislation permits similar powers on the part of police officers, where the effort of obtaining a warrant is unreasonable under the circumstances. As I say, it lists a whole bunch of sections from the Child and Family Services Act. It's the same model of intervention, that it's unreasonable to expect a police officer to get a warrant where the urgency is such to seize the young person.

*Interjection.*

**Mr Kormos:** But that's the Child and Family Services Act; that's what I'm saying. They could seize the young person, and then the young person appears before a justice in short order, in any event, before the 30-day confinement is imposed. Oh, yes, the bill is quite complete in saying the young person shall be advised of their right to a lawyer, shall be advised of the location or telephone number of the nearest legal aid office, but the bill doesn't tell us what kind of situation that young person is going to be forced into as a result of the 30-day order of confinement. The bill doesn't prescribe a single program that is mandatory in that place of confinement. It doesn't prescribe a single standard for that place of confinement.

The period of confinement is 30 days, and again, there you go, the world of someone we're jailing is upside down, the victim's. Think about it. We're taking the victims, putting them in a locked up place, with the bill not prescribing what's going to happen to them when they're in that place, and then 30 days later they're out. I don't know how much experience you've had with drug

addiction programs, with similar treatment programs for young people. I've had a fair amount of experience with them. I don't purport to be a professional as other people here in this assembly who are professionals, who I hope will participate in this debate and maybe add their comments, but I'm very aware of drug treatment. The 30 days is not an accident either, because 30 days is a standard, for instance, in-house treatment program for alcohol and drug dependencies. The 30-day program has become sort of a model out there.

Sorry to tell you, Speaker, that in most instances, especially where there is not a high level of motivation on the part of the person participating in that program—when the scenario develops, for instance, of people being forced into the programs as a result of, let's say, probation orders imposed by a provincial judge—the first thing that happens when they're out is that that speed freak has a needle in his or her arm within five hours of finishing the 30-day program. The first thing the alcoholic does, who's had the rigours of that program imposed on him, they're out of the program, out the door and in the first gin joint they find. That's not a secret. The fact is that these quasi-treatment programs—because here it's nothing better than a quasi; that's the best I can do for it, because there is no prescription of what's going to happen during the course of that 30 days, none.

This bill will do one thing: it will permit the police to pick up these young people out there prostituting themselves. It will permit the police to pick up young people who are involved in the porno industry. It will permit the police to pick up young people, as defined in the bill, people under 18, who are working in strip clubs. It will get them before a judge.

Now, what's interesting is that the bill isn't about people under 16, is it, parliamentary assistant? The Child and Family Services Act in fact gives much greater powers to a justice in its application than the judge or justice has under your Bill 86. The interesting thing is that Bill 86 specifically says that when a process is initiated under Bill 86, the Child and Family Services Act doesn't apply. That's very dangerous in my view. Understand that's only applicable to people under 16. Got that right?

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** The Child and Family Services Act.

**Mr Kormos:** That's right. Under the Child and Family Services Act, for a child in need of protection, a judge can order the child into wardship. The judge—and I've watched some very good and clever judges in this province—

**Mr Garry J. Guzzo (Ottawa West-Nepean):** The best.

**Mr Kormos:** —use those kind of powers. Yes, I've been in front of some of the best—and use the powers in here, because the judge has the power under the Child and Family Services Act to prescribe a program. I've watched judges say, "Well, I've read the assessments"—under the Child and Family Services Act, not under Bill 86; this is one of the problems I'm trying to explain to you. Under the Child and Family Services Act, which is

excluded from its application by Bill 86, a judge gets the assessments. The judge has the power to say, "Well, I think this child needs a treatment program at Centre X or Centre Y." And then the lawyer for the government says, "Oh, but who's going to pay for it?" The judge says, "It's not my problem. I've got the power to order this and it's going to happen." Judges have this incredibly progressive authority under the Child and Family Services Act to tailor a program for a child in need of protection, a child who may well need extensive psychological or psychiatric treatment, a child who may need some very special programs and some expensive programs. Look, when you've got kids out on the streets selling their bodies, you're not talking about young people in good shape.

1620

**Mr Tilson:** Why haven't the judges been doing it?

**Mr Kormos:** The parliamentary assistant says, "Why haven't the judges been doing it?" I tell you, brave judges have been doing it; other judges have been beaten up on and have gotten the message six ways and another that it's not going to happen that way. Judges have been making orders in some jurisdictions and the orders are simply being ignored. Judges have been ignored. Judicial orders for treatment programs have been ignored.

How many times have I seen a well-meaning judge, sincere, good, competent, order in the imposition of, let's say, a custodial sentence that this prisoner will be sent to Brampton, for instance. The judge says, "I want this inmate sent to Brampton because I know he or she is going to get the treatment there that they need," and no, the system plays silly bugged with the judge. That inmate sits cooling their heels in the detention centre and then the judge almost swallows his or her bubblegum three months later when they find out that their order has been ignored. Am I wrong?

**Mr Guzzo:** When did that change? It never was like that.

**Mr Kormos:** That's right. We've seen some remarkable changes in the resources being given to the judicial system, to the criminal justice system, for good judges who want to effect meaningful programs for the young people, the persons they sentence.

There's no authority given to the judge in Bill 86 to prescribe a treatment program. There's no authority given to the judge to tailor the program to meet the particular needs of what is a very damaged young person appearing before them.

**Hon Chris Stockwell (Minister of Labour):** I don't understand the treatment program.

**Mr Kormos:** I know the Minister of Labour doesn't understand. That was a given.

What I'm telling you is there's no authority in Bill 86 for a judge to tailor a program in response to an assessment of a young person. You're talking about young people with multiple problems. You're going to be talking here about young people, many of whom—when I practised law, many years ago now, when I was in criminal courts five days a week, it seemed like 52 weeks a year—I guess there were a couple of weeks out of the

year that the courts didn't sit—I acted for a whole lot of women who had been charged with prostitution offences. I got to know these women well, and I tell you, subsequent to learning what I did working with these women—and every one of them I considered a victim. You see, they were the ones who went to jail. The johns went to john school. The women, who are the victims, go to jail. We're repeating the mistakes of our sad history and our attitudes, quite frankly, toward women and to victims of sexual crimes.

One of the things I learned is that there are very few people out there prostituting themselves who couldn't relate to anybody in this assembly a litany of horrors that would cause us to recoil in shock and horror. I talked to one judge who related to me some of his experiences working with young child prostitutes he was compelled to deal with according to the Criminal Code. He told me that when he would put to them questions like, "How could you do this? Why don't you go back home and live with your parents? You're out here on the streets. You're 14 or 15 years old. You're servicing strangers who pick you up in their cars," the response was, "When I'm at home I have to service my father or my brother. Out there at least I'm getting paid for it."

I don't relate that with any pleasure. I don't relate that with any joy. I relate it to try to give you a little bit of an impression about the fact that we're dealing with some very damaged people, some very damaged children, for whom the damage started long before they got out on the streets. Do you understand?

We find it quite difficult to accept the proposition that you jail victims, that you lock them up for 30 days with no defined powers on the part of a judge to order any meaningful treatment programs, no defined powers on the part of a judge who's imposing that 30-day period of confinement to obtain access for that young person to what from time to time are very expensive treatment programs, treatment programs in increasingly scarce supply.

I come to Bill 86 and I have to relate it in my mind to two previous pieces of legislation that this House dealt with: one was the Parental Responsibility Act, two was the so-called squeegee kid bill. This government thought it was just unacceptable and reprehensible that homeless young people should be out there trying to hustle a quarter or a loonie or a toonie by cleaning my windshield down on University Avenue as I'm headed on to the Gardiner to get back home to Niagara. This government said, "No, we've got to lock these kids up. These are kids who are out on the street." You see, I've been persistent and consistent in saying, look, I admire the tenacity and the strength and the ingenuity of these kids to get out there and hustle, cleaning my windshield, not being sure whether I'm going to give them a nickel or whether I'm going to give them a loonie or a toonie. But they're out there in the hot sun, in the cold wintry weather—they were—washing my windshield.

Do I like the fact that these kids are on the street? Of course not. Do I wish that the programs cut by this

government for those kids that helped them straighten out their lives, helped them deal with some very serious problems in their lives and in their family life were still alive? Of course I do. But I'm hard-pressed to understand how this government can stand up with Bill 86.

The government was warned during the course of debate around the squeegee bill—and that's not to say that there weren't young women and young men prostituting themselves before the squeegee bill was passed. Of course not. But I have to question, however rhetorically, Mr Parliamentary Assistant, how many young people as a result of the squeegee bill have been pushed out of the intersection of University and Front into the dark alleys where \$25, \$30, \$40 gets you serviced. I'm trying to watch my language. The street out there isn't anywhere near as polite as the debate is in here. They don't call it "servicing." It's not that sanitary.

I defended prostitutes who tried to defend themselves against johns who attacked them, and I defended more than one in this circumstance. It was the prostitute who was charged with aggravated assault or assault bodily harm. I'm happy to say that in my experience not one of the juries that I brought those cases in front of ever convicted a prostitute. We were able to convince the jury that she was the victim.

I just have some great difficulty in that a year ago this government was insisting that a squeegee bill had to pass because homeless kids washing your car windshield posed such a grave threat to our civilization. And the government was warned. How many critics told the government, "Look, what you're going to do is force more than a few kids out of that activity into far more insidious and evil and despicable activities," and I'm confident that it's happened.

The bill isn't about 15-year-olds or 14-year-olds or 13-year-olds, because the Child and Family Services Act continues to apply to them, and it is my sincere hope that the authorities will use that act to apprehend 15- and 14- and 13- and 12- and 11- and I suppose from time to time 10-year-olds, though I don't want to even begin to think about it, rather than Bill 86, should Bill 86 become law. Bill 86 is really about 16- and 17-year-olds.

1630

Let me also talk about this: how can we talk about this sexual exploitation of young people—children—without talking about the climate that we live in? Travel up and down Yonge Street or, I don't know, go to whatever mall or whatever highway where they've got billboards, and there's the incredibly, oh so hip, cool sexualization of younger and younger people in mass marketing. And they're not marketing—I'm pretty confident about this—to youngsters their own age. The whole phenomenon, I've got to tell you, of little kids entering beauty pageants and not the fact that a child in—oh heck, in the Welland Rose Festival we have the baby contest. I'm not talking about that. I've seen these things: little kids dressed up like Madonna or whatever happens to be the icon of the day.

Maybe I'm sounding like my father now. Maybe that's the problem. Maybe I'm just right out of touch. Maybe I'm just not hip at all. But I think there's something horribly wrong with our society in general when we tolerate that, when we don't send messages out to some of these advertisers and make it clear that we're well aware of what they're doing to young women and young men by sexualizing them at prepubescent ages. Am I way off point on this? I don't think so. Because you can't isolate that kind of culturalization from the phenomenon of sexual exploitation of younger and younger children. This is very scary stuff. It's very sad stuff. It's very tragic stuff. Because not only are youngsters then the victims but all of us become victims. We suffer a climate of culture where it becomes increasingly difficult to stigmatize the exploitation of children.

As mentioned briefly yesterday, there's new language in our vocabulary, the phenomenon of sex tourism. It's become bigger and bigger. There are places in the world that are on the sex tourist route, if you will, that are identified as places where, more often than not, men go to have sex with kids. I'm glad that the Criminal Code has been changed recently to give more power for the prosecution of these offences committed outside the jurisdiction. But the whole issue is not getting caught, isn't it? You can skulk around some back alleys in the city of preference where the sex tourism is prevalent, some of it in our own hemisphere.

You heard Ms Churley yesterday in a brief two-minute question and comment; I'm sure she'll be speaking later today. She'll talk about the tragedy of us not spreading our scope and talking about the protection of children universally. It seems to me that the first focus should be on—I know this sounds so weak in the context of such a dramatic and horrifying issue—the context of helping to create healthier communities and healthier families. That's why I say I have to make some connection between this bill and the family responsibility act, because those same kind of comments and issues were raised during the family responsibility act. Down where I come from, the paucity of mental health services for children remains as dramatic as it ever was, indeed has increased. Do you understand what that means? That means that a family that identifies problems in their kid, the very same sort of problems that two years down the road could mean that kid's on the streets in Toronto prostituting, but the family who says, "We've got some problems here, we've got to do something," can't access mental health services for their kid down in Niagara. There just aren't the resources, and that's a big community, the Niagara region; never mind in the north, where there's an even greater scarcity of resources and with the distance you've got to travel to access it becomes more profound so that they're inaccessible.

When we talk about this sort of issue and we talk about addressing it, don't we have to talk, don't we have to address the need to rebuild those kinds of services so that children can be responded to before they're out there on the street? Is that far-fetched? Is that not some

significant contrast between the proposition of saying, "Oh, we'll lock you up for 30 days and we hope something happens in the course of that 30 days," but in reality, what's going to happen is at the end of that 30 days the doors are going to open and that kid's going to be back out there and doing another BJ for another 25 bucks in short order. That's the reality of it.

This government wants to clean up the streets. I understand that. The political motivation for that is profound. I mean, I was there when they brought in their American experts from New York City and they talked about broken windows and cleaning the streets and getting rid of the riff-raff, and they wanted to get rid of panhandlers and they tried to do that, except the sad reality is that there are as many panhandlers as ever out there on the streets of Toronto because circumstances have been getting worse and worse. The economy is again suffering on the cusp of a significant recession; we're going to see more.

The government tried to clean up squeegee kids. I suppose it did get rid of squeegee kids, but it pushed those kids, I'm convinced, deeper and deeper into the dark alleys, where the activities they engage in are far more sordid than squeegeeing my truck window on the way back to Welland on a snowy winter day. You see, there's a dilemma that 16- and 17-year-olds are in in this province and in many parts of the country, because a 16-year-old is entitled to live on their own. It's one of those historical anomalies. Is that a reasonably good explanation of it? It's that gap. The fact is that 16-year-olds cannot be compelled to live with their parents. That's the law. They're no longer children, but they're not adults. Nobody ever really said that, except that age of majority, 18, means that you've got to be a certain age to buy cigarettes, you've got to be a certain age to drink, you've got to be a certain age to get married. I think it's 18.

**Mr Guzzo:** How about joining the army?

**Mr Kormos:** You've got to be a certain age to join the army. So young people are in that limbo.

How come the Attorney General isn't talking about the fact that there are provisions in the Criminal Code that put special onus on the johns of younger prostitutes? It seems to me that we should be focusing on cleaning up the streets by cleaning up the perpetrators, by getting the paddy wagon out there, and I don't care whether it's doctor, lawyer, judge or politician, architect, nurse, what have you—but cleaning up the streets.

That seems to me to be a far fairer approach and a far more realistic approach. It seems to me that restoring funding for some of the street programs that historically have existed here in Toronto—it's a big city that's a magnet for runaway youth from across the country—restoring some of those outreach programs that are out there, working with street people, is one of the ways to make meaningful interventions in the lives of young people: (1) providing resources in communities to help build safer and healthier communities and healthier families in those communities; (2) safeguarding children before they reach the age of 16.

I'm hard-pressed to believe that 14- and 15-year-old prostitutes had pristine, healthy lives in their families before they got out there on the street, and that's not to say that this hasn't—I know it's happened to families who are careful and loving and capable, but families are facing some incredible competition. We talked about this during the Parental Responsibility Act. There's some incredibly powerful competition for families out there, and competition that targets young people, everything from the Internet to computer games to the pop culture of the day, any number of things. Again, it's big bucks, it's corporate Hollywood, it's Los Angeles more often than not, big, fat guys sitting on the top of office towers who are making big bucks, at the same time shaping our culture and our society in a way that is incredibly dangerous and that encourages and nurtures and creates almost a Petri dish for the sorts of things we're trying to address with this bill, where they flourish.

1640

I want to hear how it is—because you see, a 16- or 17-year-old is a young offender for the purposes of the Young Offenders Act, but they are not a child for the purposes of the Child and Family Services Act; they are permitted to and called upon—look, where is this government's commitment to support, by way of social services for kids of the age of 16 and 17? We know what happened to that age group when it came to the social services cuts by this government. Then why are we surprised when we discover young people of that age, in that age group, out there prostituting themselves or working in the strip club environment or working in the porno industry, to the extent to which it exists? I'm sure it does exist to varying degrees here in Canada, here in Ontario.

If we're really serious about addressing that issue among 16- and 17-year-olds, we as a provincial community should ensure that people that age have safe, affordable housing, ensure that young people that age have resources made available to them for education, for their support. Again, I know that families that have been responsible, capable, careful, loving families, loving parents, still lose children to these subcultures. But I also know that for every careful, capable, loving, caring family that loses a child to this subculture, there are families that are far from capable and parents who are far from loving and parents who are far from caring who force their kids into this subculture.

I go back many years now to when I did practise law. One of the toughest things was to sit down—I had a lot of young clients—and to know that their father sitting in that room with them was abusing them. People who have worked in that area—I know the member from Ottawa West-Nepean, with his incredible commitment to justice for the kids in Cornwall and his professional background, is aware of how conniving and slippery and deceitful child sex abusers are. There are families out there where kids are fleeing scenarios, where the streets are a far more attractive alternative to the homes that they were supposed to be being raised in. Why aren't we addressing

that during this debate? And why aren't we talking about the things that have to be done that can be done in response to that?

I have no doubt that in Alberta the numbers are staggering, that hundreds upon hundreds of young people have been scooped under the Alberta equivalent of Bill 86. What I look forward to from the government, though, is some follow-up information on what's happened to those young people after they have been scooped, after they've been locked up for a maximum of 30 days and then pushed back out on the street. There is absolutely nothing in this bill that provides for follow-up, that ensures support and support systems for that young person when they're expelled from that so-called facility—it's a lock-up—after 30 days. Even if that young person said, "I want more treatment; I think I'm starting to get a handle on the things that have motivated me, that have lured me, that have forced me out on to the street, into a life of prostitution or a life of strip club dancing," there is nothing in the bill or there is nothing in the programs that are available to young people today that enables them to access any ongoing services.

That's the problem. This government wants to test the urine of everybody but its cabinet, but it hasn't got any place to send the people for whom problems are identified. I don't know about your community, but I can tell you about where I come from in the province, down in Niagara. Our drug and alcohol treatment centres, operating on shoestring budgets as it is, have got waiting lists that are round and round the block. I've got folks in my community who are paying cash—big bucks—to go stateside into private centres. It's true, that's what's happening, because the resources aren't available to them here in Ontario.

Down in Niagara region a couple of years ago—and I raised it here in the Legislature—a family had a crisis when their underaged daughter was hired on by one of the strip clubs. They and I and other fair-minded people prevailed upon the government to respond to the issue by enacting legislation that would get tough with strip clubs that hire underaged dancers—for naught.

The opposition here, the New Democrats among others, have been pointing out to this government for a period of six years now what's been happening to programs for families and people in need. This isn't the first time I've raised the concerns about the paucity of mental health beds for adolescents in Niagara region. And this government's goal is to lock up child victims of sexual abuse, to lock them up 30 days at a time when they haven't committed any crime. Johns go to john school and the victims go to a lock-up. There is something about that that doesn't balance out. Do you find that as bewildering as I do, Mr Hoy? Johns get to go to john school and their victims get locked up.

There were several people who spoke yesterday who wanted to say, and in fact did say, "Oh, the support for this bill is unanimous." Well, they weren't listening, and if they persist in saying that, that means they're still not listening.

We understand the motivation for the legislation. We understand the desperation of a family that has lost a child to the streets. We understand even the interest in trying to intervene in the lives of 16- and 17-year-olds, even though 16- and 17-year-olds are, for all intents and purposes, adults in every regard but for the mode in which they are prosecuted; to wit, under the Young Offenders Act. Yet any of the activities that are being talked about in this bill that is being addressed are, for better or worse—look, that's not the point here, but it is, for better or worse, not a crime.

If we're to accept the premise—because you see the language: "Oh, we're rescuing." Look, I'm told by Ms Martel that the children's aid societies, when they responded to this bill in its first form when it was still a private member's bill, during the committee hearings in Sudbury, expressed concern about the bill, because they believed that the Child and Family Services Act was the appropriate vehicle. The Child and Family Services Act gives judges a whole lot more effective power to deal with children in need of protection, and it doesn't lock them up for 30 days. It gives the judge the power to prescribe specific treatment programs, should those programs be warranted.

1650

**Interjection:** Like what?

**Mr Kormos:** Somebody here is going, "Like what? Like what?" It's a stupid comment, because there isn't—well, perhaps it's not so stupid. Perhaps it's just coming from somebody who doesn't understand that you can't solve social problems, you can't solve the problems of damaged kids, by boot camp, slapping them around a little bit. Oh, what the heck. Why lock them up just for 30 days? Why not slap them around a little bit; that'll straighten them out, huh? Yes, that's what these kids need. Just rough them up a little bit. Yes, that'll teach them a lesson. "You cut that out right now. No more prostituting yourself. We'll rough you up if you don't." Please. The kids who are out there doing that, more often than not, have been roughed up far too often in their lives. Those kids have been beaten and beaten and beaten—beaten down psychologically, and more often than not beaten down physically and sexually abused within their own families.

This government wants to sweep every single social issue—which in no small way has at the very least been aggravated by this government's abandonment of effective social programs—away so it disappears. Don't address the issue of child homelessness and youth homelessness and youth poverty. No, make it illegal for squeegee kids to go out there and hustle up a loonie or two. Don't address the issue of a culture which nurtures and accommodates children as sexual objects. No, just sweep it away. We'll lock them up, get them out of sight so the tourists can traipse up and down Yonge Street and not be confronted by some of the nastiness of real life here in Mike Harris's Ontario.

The numbers will be incredibly effective, because I have no doubt that the police, if they have the power in

this bill, can scoop any number of people in short order, young people under 16, and 16 and 17. And the numbers will be staggering. All it will do is confirm the fact that this scenario is one which should be addressed, and addressed effectively.

I find the urgency of this matter for the government, and indeed some others, to be troubling as well. This bill is a little feather in, what, their law-and-order cap? I saw the list that was provided by my staff over at the NDP caucus of the bills that are still before the House, this and half a dozen other of their law-and-order bills.

Can I leave this without talking about the abandonment of young offenders by this government? Can I leave this debate without commenting on the fact that this government has abdicated its responsibility to provide the correction and treatment programs for young offenders serving sentences here in the province of Ontario?

I'll engage in a debate and I'll be critical of the Young Offenders Act any day of the week. I have been and I will continue to be. There are issues about the Young Offenders Act that warrant debate and that should warrant concern and about which there are numerous views. And this government wants to play the game. I'm quite eager to attack the federal Liberals; fine. But the reality is that, under the Young Offenders Act and the whole juvenile justice system, the province has the responsibility to provide the treatment programs, the treatment facilities and the correctional facilities for those young people serving sentences. What has this government done? This government has washed its hands of responding to children who need the treatment and correction that the Young Offenders Act, by virtue of the sentencing power of judges, can provide.

**Hon Rob Sampson (Minister of Correctional Services):** They have not.

**Mr Kormos:** Well, you have. What facilities the government was running with trained, skilled professional staff have been turned over to their friends in the private sector, the boot camp operators, American-style. It hasn't been very successful in the United States; it hasn't been very successful at all.

You don't take damaged kids, you don't take kids who have been beaten up day in and day out of their lives, both physically and emotionally, who have been undermined, demeaned, kicked down, stepped on and spat upon, and make them better people by beating them up a little bit more.

We've got some serious problems in terms of youth crime, we've got some serious problems in terms of adult crime and we've got a government that wants to talk a big game on law and order but when it comes to real ways to deliver, to make our community safer, to make life fairer—shouldn't we be talking about making life fairer for these young people who are out there prostituting themselves? Because life hasn't been very fair so far in their lives, has it? If you've got a 13-, 14-, 15-year-old kid out there servicing some john in the back seat of his car, it's hard to believe that life has at all been fair for that kid.

This government doesn't want to talk about fairness for those kids, it doesn't want to talk about concerted drives against the perpetrators of the crimes against those kids, it doesn't want to talk about joining in and acknowledging this phenomenon, this child sexual abuse phenomenon that's international, and address the whole process and the issues of sex tourism and the culture that sexualizes children. Oh, no, this government's the free enterprise government and by God, let the corporate world do what it wishes, supply and demand and all that kind of stuff.

New Democrats very much want this bill to go to committee.

**Hon Mr Stockwell:** You're going to vote for it, aren't you?

**Mr Kormos:** New Democrats are making no commitment as to where they stand on third reading of this bill.

**Hon Mr Stockwell:** I thought you said yesterday—

**Mr Kormos:** The Minister of Labour is being silly. He wants to treat a serious issue like this in a frivolous way. Mr Stockwell laughs. Laugh about young children being victims. I find your response to this whole scenario not atypical of your colleagues in the government back benches. We take the safety of young children seriously, we take this bill seriously and we raise serious questions.

**The Deputy Speaker (Mr Michael A. Brown):** Questions and comments?

**Mr Tilson:** I have two minutes to respond to what the member has been speaking about for the last hour.

One of the joys we have in government is that we have, outside this House, a lawyer who sends me notes indicating where the members of the opposition have been giving misguided statements. I have so many rafts of notes that have been passed to me to comment on the member's speeches that I can't keep up with them all.

The point is he has made a number of—and I'm trying to be within order—statements that need to be corrected. We can't do that in two minutes and perhaps at another time we will. He did say yesterday the New Democrat caucus was going to support this bill, yet I don't know where he is today, quite frankly. Today he said, well, maybe they will.

The problem is we have a social problem. All of us in our ridings can talk about runaway children. That's caused by a whole slew of things. It may be as a result of social problems, mental problems, problems of not getting along with their parents, problems of not getting along at school; there could be a whole slew of reasons.

Then they move to the big cities that we have in Ontario and they get dependent on these—to use my friend's comments—"slippery creeps," or something similar to that is what he said, and he's right. That's what it all is and they get dependent upon it. It could almost be compared to domestic violence against women. We've heard my friend Ms Martel talk about this, where they're afraid to do anything. So what are you going to do? This 30-day thing is an interesting concept, and we'll have to talk about it more as the debate goes on, but they're scared out of their wits of these creeps.

1700

**Mr Alvin Curling (Scarborough-Rouge River):** Let me at the onset just say how enlightening I found the member of the New Democratic Party express his emotion and passion for this. There are a lot of facts and information that we could gather from that. I was disappointed, of course, that the government has not seen fit to assess some of the things that he was saying.

It took this government three years, beating them over the head by my colleague Rick Bartolucci from Sudbury, who introduced this over three times in the House, and the government had ignored it completely. All of sudden they introduce this bill, which we welcome, but how limited it is. The point I want to raise is that the victims who are here are being victimized more.

The people who have been abused will now be 30 days in jail, as it's stated in your bill. Of course, we oppose very much so the fact that you're going to put into jail those young people who need help. We are shouting out and asking the government to make a decision about this, but it is consistent with this government. They are very good at building jails and putting muscles on people. They are very effective in that way of making sure the only way we can solve social issues is to put those who are victimized in jail—larger jails. When they can't deal with it, they privatize that effort, because they themselves don't want to deal with that. Of course, the attitude of the government continues in this blatant ignorance of what is happening.

It's the community that raises a child, and this government has not been a good parent at all. While we welcome any move at all by the government in that direction and we'll be supporting that, how limited this bill is.

**Ms Martel:** I did listen to everything the member for Niagara Centre said and I think I have to clarify something for the parliamentary assistant and the minister. We said very clearly we would support the bill on second reading and we want the bill to go to committee so we can have a full debate with respect to the concerns that we have raised, which I think are appropriate concerns indeed. After that, what we do will be up to us to decide, but we very clearly said, and he said it again here today, that we'd support the bill on second reading.

I sat at the committee hearing in Sudbury when Mr Bartolucci's private member's bill was discussed. I was there when the young woman whom this bill was crafted for in essence came before the committee with her father and talked about her experiences on the street. I was there when a second prostitute, who didn't come to the committee hearings but joined us by teleconference, talked about her story as well. Every single one of the presenters who came forward spoke in favour of the bill, with one exception, and that was the representative from the children's aid society, who came at the end of the day, when we had heard very compelling stories and histories and the tragedy about this issue, and to her credit raised a different point of view at the hearing.

It was the point of view that my colleague tried to raise here today, that under the Child and Family

Services Act we have better protection for children than is envisioned in this bill. We have more powers in the hands of judges and JPs to do something for these kids than is envisioned in the bill. Poor Ms Roberts, her point of view wasn't very popular at the end of the day in Sudbury because of everything else we had heard. But when I left that day, I thought, "You know what? She's got a point and we should look at this again." That was one of the points that my colleague raised here today. If we've got better protection under a different bill, what are we doing?

**Hon Mr Stockwell:** First let me say that there's an unhappy method used in this place. The member for Welland, I suppose, employed it again. A member is chit-chatting or talking or commenting and then they automatically put on the record that that member, which was myself, was somehow laughing about a bill that was before the House. The member knows that wasn't the case. It's really unfortunate when members do that because they actually leave an impression that is completely different than what was happening.

I expected more from the member for Welland. It's normally newer members who do that, not long-term members such as himself, because you know full well that the other person could do that to you in a heartbeat. It really isn't a fair way to debate, by imputing motive as to what this person is chit-chatting or laughing about. I wasn't laughing about the importance of this bill.

Second, it seems to me the crunch of the issue was the 30-day period. If the member is suggesting categorically that he is opposed to that 30-day period—potentially a 30-day period—which was put in as necessary to help the child break out of the cycle of drugs and prostitution, stand up and say you're opposed. The member for Scarborough was up. Say you're opposed. Liberals and NDP, get together and say, "No, we don't think that right should be there."

The belief is it would allow an opportunity for the child, who is frightened, who is scared, to have a safe place for 30 days, not to be frightened, not to be scared. If the members opposite are saying you don't agree with that, you don't think that power should be there and to use not all 30 days but some portion thereof, then say it, but if all you're going to argue is the other side, then it's difficult to get what point you're making. Member, are you opposed to that 30-day period? Stand in your place and say you're opposed.

**The Deputy Speaker:** Response?

**Mr Kormos:** I have no interest in the Minister of Labour's inability to understand what's at issue here. There are issues here that transcend the partisanship that entered the response of some of the government people. I made it clear when I began this one-hour comment that some of the stuff I said wasn't going to go over very well, that some of it wasn't going to be particularly popular. So be it.

The fundamental approach of saying, "Child prostitution is wrong. Young children shouldn't be used as prostitutes. Young children shouldn't be used in strip

clubs as dancers. Therefore, we bust them and lock them up for 30 days"—I find that to be a very difficult proposition. I find the absence of an interest to address the broader issues, to address the need for a serious attack on the perpetrators of the crime, to be troublesome. I find the usurpation of the Child and Family Services Act—and the failure to replicate it here—which gives the judge far more creative ability to profile a program, to be very troublesome. I find this government's interest in once again doing some street-sweeping and cleaning up—first it cleaned up the squeegee kids. It wanted to hide them away. It drove the squeegee kids away from the intersections, into the dark alleys, where they've become child prostitutes. Now it's going to clean up child prostitutes by locking them up.

1710

**The Deputy Speaker:** Further debate?

**Mrs Tina R. Molinari (Thornhill):** It's a pleasure for me to have the opportunity to speak today on such a worthwhile piece of legislation. I commend our government and the Attorney General for bringing forward Bill 86, An Act to rescue children trapped in the misery of prostitution and other forms of sexual exploitation and to amend the Highway Traffic Act.

The children of Ontario are our future and it is necessary that we ensure their protection and safety in our communities. Every child in Ontario deserves the right to be protected from sexual perpetrators. This legislation is a strong commitment by the Mike Harris government to preserve those rights and freedoms. This government has always made the needs of victims a priority. We stand firmly on the side of victims of crime and are committed to ensuring that all victims in Ontario have access to the support and services they need and deserve. There is none more important in my mind than that which includes child victims of sexual exploitation.

The proposed bill would give police and children's aid society workers better tools to help young victims of sexual exploitation. It would also allow the province to target the sexual predators who abuse these children. The Mike Harris government is sending a message that we will not tolerate sexual predators in Ontario.

Our government cares about the future of our children and protecting the rights of families in Ontario. Previous legislation that we have passed in regard to the rights of victims clearly indicates this government is on the side of victims. To support victims of crime, the government has taken a number of steps by introducing several important pieces of legislation.

In 1996, the Victims' Bill of Rights was proclaimed. It recognizes the needs and rights of victims of crime in both criminal and civil justice systems.

In June of this year, the Victims' Bill of Rights Amendment Act was proclaimed, creating the first permanent Office for Victims of Crime in Canada. The office will advise the Attorney General on issues relevant to victims and victimization.

In December 2000, the provincial government made amendments to the Compensation for Victims of Crime

Act. The amendments increased the maximum periodic award from \$250,000 to \$365,000, and extended the limitation period from one to two years.

Christopher's Law created the Ontario sex offender registry, the first such registry in Canada, to monitor sex offences in Ontario communities.

This government's commitment is clear: we are doing more, much more, to ensure victims get the services they need and deserve, and we are cracking down on the individuals who think they can get away with these activities.

As part of the victims' justice action plan, we have dedicated up to \$50 million in funding from the victims' justice fund to enhance existing victim services and improve access province-wide. The victim assistance program will be extended to 57 sites across Ontario over the next three years. This program provides crucial support to victims and witnesses to help them participate in and have a better understanding of the criminal justice system.

These are but a few of the many important initiatives that this government has implemented to help protect and care for the needs of victims in Ontario.

Bill 86 is not only about protecting children from these wicked acts, but also about rescuing the victims who are affected by these terrible deeds perpetrated by cowardly individuals. Under section 11, "Court Order," the court may order that a child under 18 years of age "be confined in a safe facility," and place them in a secure location for up to 30 days. Children, more than any other individuals, are the most vulnerable, and we must take steps to ensure they are not harmed.

The application of this legislation recognizes that many child victims of exploitation are being kept underground to avoid detection by the justice system. Under this proposed bill, the child could be rescued without a warrant. I will focus on the issue in the legislation under "Apprehension of Child without Warrant," and I'd like to quote from the bill.

"A police officer or a children's aid society worker may apprehend an individual without a warrant and convey him or her to a safe facility if,

"(a) the police officer or worker has reasonable grounds to believe that the individual is a child who is sexually exploited...; and

"(b) the police officer or worker is of the opinion that it is impracticable in the circumstances to obtain a warrant under section 4 before apprehending the individual," unlike most other circumstances, where a warrant would have to be obtained to enter premises to rescue the child.

Our children are precious and the time is precious when they're in need of being rescued. To ensure due process, a judge or justice of the peace would review the legal authority and validity of the action to rescue the child within 24 hours, or as soon as possible. A second hearing would occur within five days, at which time the court would be able to make a number of decisions in the best interests of the child. The best interests of the child

is what this proposed legislation is trying to accomplish. This could include extending the placement for up to 30 days; returning the child to his or her parents or legal guardian if appropriate care and supervision would be provided; or determining that future intervention is not required in this particular case.

We must take into consideration who this bill is targeting. It is targeting individuals who wish to exploit children in the most sick and harmful ways.

In an effort to further protect the privacy of child victims of this terrible abuse, the bill includes provisions to ensure that all such hearings are closed to the media and that records of proceedings are sealed. This is a very important aspect of the proposed legislation. Not only do victims need to be protected physically, but they also require emotional protection.

Under section 14 of the act, "A hearing under this part must be held in the absence of the public and representatives of the press, radio, television and other public media." We must take into consideration the traumatic situation that the victims have experienced and give them the full benefit of our protection and privacy. To protect our children who may have been involved in this process, provisions are included in this bill to protect child witnesses from abusive cross-examination or irrelevant questions and to ensure a child's personal information is private. Having dealt with the physical scars, emotional scars may never fully disappear. But measures that deal with the privacy of the victims are integral to this legislation and are important and well-thought-out initiatives. Having to go through sexual exploitation, the traumatic experience of being asked irrelevant and abusive questions is inappropriate. The proposed legislation works to keep intact the victim's dignity.

Once removed from the dangerous situation, these children would be placed in a safe, secure and reassuring environment where they can receive appropriate care and assistance during a very difficult time. As a result of being sexually exploited, many children suffer significant and long-term impacts on their physical and emotional well-being. It is an ordeal nobody, let alone the innocent children, should have to endure. It is a tragic experience which, if the necessary care is not taken, can be compounded by drug addiction, sexually transmitted disease and physical abuse.

Bill 86 recognizes that each child is unique and has different needs and that flexibility is required in determining what care is required and appropriate in certain circumstances. That is why each child's needs would be assessed on an individual basis.

I am proud to say that if this legislation is passed, the government would commit approximately \$50 million annually to ensure that appropriate services and supports are in place so that these children receive effective and meaningful assistance. This is an important commitment put forth by our government. We must protect the rights of our children and their safety. We must assist those who are affected by sexual exploitation. Our government

is committed to ensuring that victims who are in need of help get the help that is required and that they deserve.

1720

The children's aid society would assume responsibility for managing the child's care while in a safe location. With the help of the children's aid society, some children can be linked to longer-term care and support services to assist them with ongoing issues and problems that may arise.

The sexual exploitation of children is a highly complex problem with no simple answers. We must put forward our best effort to combat forces that would sexually exploit children. Bill 86 is a step in that right direction; it is a bill that addresses rescuing victims from sexual exploitation by protecting their rights, targeting sexual predators and providing meaningful intervention by helping victims recover from these traumatic experiences.

Helping victims return to a normal life is one step in combating this problem. Bill 86 is a step in the right direction and a piece of legislation that will help victims recover from these spineless acts perpetrated against them, but what it will also do is make the perpetrators pay for their actions.

This legislation, if passed, would permit the suspension of drivers' licences of pimps and johns convicted of prostitution-related Criminal Code offences involving the use of a motor vehicle.

The proposed bill, under part III, section 20, will allow the province to recover some of the costs of treating child victims. I quote from the bill:

"The crown in right of Ontario has the right to recover the total of the ... amounts from a person who, for the purposes of financial or other gain, sexually exploited a child for commercial purposes:

"1. All costs incurred or that can reasonably be expected to be incurred, directly or indirectly."

Children are the most innocent and vulnerable people in our society. We must strive to weed out those who sexually exploit our children.

As a means to get tough on individuals who perpetrate these crimes against children, the province would be able to sue for the full amount of taxpayer dollars that have been spent or may be spent in the future to provide assistance to a particular victim or identifiable group of victims who have been exploited as a result of an abuser's conduct.

I want to take this opportunity to congratulate the member from Sudbury, Rick Bartolucci, for bringing this bill forward in the past. His sincere and heartfelt efforts on this matter are truly appreciated. Mr Bartolucci's private member's bills dealing with the sexual exploitation of children were clearly well-intentioned, but the proposed government bill is substantially different and goes much further.

The proposed government Bill 86 includes strong due process provisions for all children. Regardless of whether they have been apprehended with or without a warrant, every child gets a preliminary hearing before a judge within 24 hours and gets a full hearing within five days.

Bill 22 lacks constitutional guarantees of due process. In Bill 22, only children apprehended without a warrant have the right to appear before a judge, and this has to occur within 72 hours of the child's apprehension. Children apprehended with a warrant have no right to appear before a judge.

In contrast, Bill 86, the proposed government bill, also provides a stronger foundation for meaningful intervention. This government bill allows both police and child welfare workers to apprehend children in situations of sexual exploitation.

**Interjection:** You might give credit where credit is due.

**Mrs Molinari:** Bill 22 empowers only the police to act. And I have given credit to the member for introducing this bill. I am pointing out the differences between that bill and this bill and how this enforces a number of issues that are of importance, that need to be enforced.

We know from Alberta's experience that both police and child welfare workers are actively involved in these types of cases, and it is necessary to provide both with the tools needed to assist these children. Bill 86 has a maximum 30-day intervention period, whereas Bill 22 provides for a significantly shorter 72-hour detention period. Alberta recognized that 72 hours gave little opportunity to make a meaningful intervention and since has amended its legislation to provide longer intervention periods.

Bill 86 also better targets the predators who sexually exploit children. Bill 22, to its credit, attempts to create a provincial offence against pimps and johns which is likely outside the scope of the provincial jurisdiction. We have concerns that key elements of that bill could not successfully withstand a constitutional challenge.

Yesterday I listened intently to the member from Sudbury, who stated, "I understand the role of government, but the most important role of government, in my estimation, is the protection of people who elect them to this assembly with sound, good laws." That's an excellent statement that the member from Sudbury put on the record as he was debating this bill yesterday.

I agree wholeheartedly with the member opposite. We need good, sound laws. Our government agrees as well. That is why our Attorney General has put forth Bill 86, a strong, good law that will protect the people who elect us. We cannot risk having laws such as Bill 22 that would not withstand a constitutional challenge. The proposed government bill is constitutional and will target pimps and johns in a manner that more clearly falls within our provincial jurisdiction. Still, we appreciate the member's work and interest and his attempt in trying to help Ontario's children. The intent is truly commendable.

As a mother of two boys, I couldn't imagine what it would be like for them to have to go through this kind of exploitation. Exploitation of children is offensive in any manner, but sexual exploitation is much more offensive. I certainly support this government's Bill 86 and the attempt we're making to address some of those issues.

This legislation is just another example of this government's commitment to holding offenders accountable for their crimes and protecting all our taxpayers. This proposed legislation is another example of the government's commitment to support all victims of crime, taking appropriate action on the perpetrators and, again, also protecting our taxpayers.

I support Bill 86 and I encourage all members in the House to support Bill 86. I believe it is a step in the long direction of countless other steps this government has taken to ensure the safety and protection of the people of Ontario.

This legislation is truly a good piece of legislation. A lot of members in this House have spoken positively on it. There will be some ideas that others will have, and I'm sure there will be good ideas, but you need to look at what's in the bill and what it does for the people of Ontario, for the victims of the crime of sexual exploitation and for the perpetrators of sexually exploited children.

**Mr John Gerretsen (Kingston and the Islands):** I too will be supporting this bill. As the last member stated, this is such a good bill; why wasn't this done two or three years ago? Mr Bartolucci, my seatmate here, has come up with three separate bills over the last three to four years dealing with the identical subject matter as contained in this bill. If the government agrees that it's so important, why didn't it bring this forward before? Rather than getting involved in a discussion about how this bill is different from Mr Bartolucci's bills etc, let's get right down to the nub of the problem. The problem is, what do you do with these children after 30 days? Where are the medical services that these children require? Where is the funding for the counselling services that they require? Where is the money for the adequate shelter that they require?

**1730**

Speaker, the bill is full of good intentions, but you and I know that none of it will work if the adequate resources aren't out there to actually help the children who are involved in child prostitution. Until that problem is dealt with as to what we do with these individuals and how we get them off the street on a full-time basis, how we counsel them and provide for them adequately through housing, through accommodation, through medical treatment, until we deal with that issue, this problem, as well-intended as it is to be dealt with in this bill, will always be with us.

I urge the government to look beyond the mere sanctions of this bill, look at the real problems that we're involved in and fund the solutions to the real problems by funding for adequate medical treatment and counselling services and shelter for our young people.

**The Deputy Speaker:** Questions, comments?

**Mr Kormos:** I like this member. I like you. Tina, I like you.

**Mrs Molinari:** But.

**Mr Kormos:** But please stop reading the pap that they give you. It's only going to get you into trouble.

**Mrs Molinari:** It's the bill.

**Mr Kormos:** No, no. Ms Molinari, these canned speeches—you're supposed to lead with your strong argument. What does Ms Molinari lead with? She talks about this government's Victims' Bill of Rights. I'm sorry, the Victims' Bill of Rights doesn't exist in the province of Ontario. Our courts said so. There are no rights for victims in Mike Harris's Ontario. Judge Day of the Ontario Court of Justice made it as clear as any judge could make anything. Ms Molinari, please, lead with your strong argument; don't lead with the Victims' Bill of Rights.

Please, Ms Molinari, you told us Bill 86 holds offenders accountable. I read the bill. It suspends their licences. "Let's get tough on pimps. We'll suspend their licences. That'll scare the daylight out of every pimp in Toronto, North Bay, Thunder Bay, Welland, Niagara Falls, St Catharines. They're going to get their licences suspended."

Ms Molinari says, "Look what the bill does for the victims of crime." You suspend the perpetrators' licences and you lock up the victims. The police scoop them off the street and you lock them up for 30 days, with no follow-up. You send them out. You say, "OK, you've done your 30 days. Boop, out of here."

Ms Molinari, you've got to read the Child and Family Services Act, because you can't say that this bill gives the authorities more power. This bill gives them less power. Read the bills. Read Bill 86 and understand. You see, that's why the children's aid up in Sudbury, during the committee hearings, wanted this government to permit them to use the Child and Family Services Act, because it gives them and the judges more power to protect children in need of protection.

**Mr Tilson:** Just to the last speaker, I would suggest that before we get too much further into the debate, he read sections 19 and 31 of the bill, which say something quite different from what he is alleging in this House as far as the child and family services legislation, something completely different from what he's saying. Those sections of those bills are going to be adopted. That's what the act says. Sections 19 and 31 say that.

As far as my friend from Kingston and the Islands is concerned, if he had listened to the speeches that were made yesterday, we have made it quite clear that we are going to put increased funding into this problem.

**Mr Gerretsen:** Promises, promises. Do something about it.

**Mr Tilson:** No. Mr Baird, the minister for child and family services, has stood up and said he's going to provide \$15 million annually to this problem, which is going to deal with drug and alcohol counselling of these children; which is going to deal with specialized legal services with respect to these children, such as a witness protection plan and victim/witness assistance. It's going to provide medical assistance to these children, such as detoxification and treatment for sexually transmitted diseases. He's going to provide mental health services. He's going to provide counseling and support services.

That's what the \$15 million a year is going to pay for, so to say that we're not going to do anything is not true.

As far as the speaker from this side who has spoken in support of this bill is concerned—and it sounds like all members of the House are going to support the bill, although I get doubtful when I hear members of the New Democratic caucus and members from the Liberal caucus stand up. I don't know what they're going to do but I hope they do support it. I think it's a good piece of legislation. We're trying to deal with the victims, the children. We're trying to deal with the pimps and the perpetrators of these evil crimes, and we all want to solve those.

**Mr James J. Bradley (St Catharines):** I was glad to hear that the member for Thornhill mentioned the work that Rick Bartolucci, the member for Sudbury, had done in this regard. It points out well that once in a while in the Legislature individual initiatives by members of any political party—and I say that as individuals—can come to fruition eventually in terms of a government bill. People wonder, will a private member's bill pass? Occasionally it does, but that is a fairly rare occurrence in this assembly. What more likely happens is that a government in power, having seen the virtues in a proposed piece of legislation or in a piece of legislation by an opposition member or individual government member that has received perhaps first and second reading, might well incorporate it into its own bill.

This bill, of course, contains provisions—I think there were three different bills that were brought forward by Rick Bartolucci to deal with the problem of child prostitution and the unfortunate circumstances in which these people find themselves. I think that members who have responded to the member for Thornhill have rightly pointed out that it will be absolutely necessary to have the appropriate resources in place to deal with the problem.

There are two aspects to almost any of these crime circumstances that we face. One is dealing with what I would call the policing action, the Attorney General's and Solicitor General's role. The second—and often the second should come first—part of it in this case deals with community and social services or perhaps the Ministry of Health. We in the opposition will be vigilant to watch to see that the necessary funding is available for the services for these young people.

**The Deputy Speaker:** Response, the member for Thornhill.

**Mrs Molinari:** I would like to thank the members for Kingston and the Islands, Niagara Centre, Dufferin-Peel-Wellington-Grey and St Catharines for their comments.

Just to address some of the points that have been made, certainly, as I indicated in my comments, there are a number of services that will be made available and put in place. I'd just like to put some of those on the record: drug and alcohol counseling, specialized legal services such as the witness protection plan and victim assistance, medical services such as detoxification and treatment for sexually transmitted diseases, mental health services, and counseling support services.

I also indicated that approximately \$15 million annually would be put aside to ensure that appropriate services are in place. The members in their comments indicated that was not available. I wanted to clarify, because that in fact will be put in place.

Also, in section 27: "Money recovered by the crown under this act must be deposited in a separate interest bearing account in the consolidated revenue fund.... For the purposes of the Financial Administration Act, money deposited under subsection (1) is deemed to be money paid to Ontario for a special purpose." So there will be money collected in this act from the perpetrators to be able to provide the services that victims need after having fallen victim to the heinous acts that these perpetrators think they can get away with.

Certainly the intent of Mr Bartolucci's bill is a good one. It's something that I'm sure he would support and other members of this Legislature would support, because this bill provides for some protection of these children. It's a first step in getting to what we need to do.

1740

**The Deputy Speaker:** Further debate?

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** As children's critic for the Ontario Liberal Party, it was very important for me to take this opportunity to speak to Bill 86, the Rescuing Children from Sexual Exploitation Act. It's also important for me to speak about the very good work, the foundation layer of this legislation, by my colleague, Mr Rick Bartolucci from Sudbury.

It has been mentioned before in the debate on this piece of legislation, but it's important for me personally to make some comment about Mr Bartolucci, who I know is recognized by all members of this Legislature as a true advocate for children. He has worked tirelessly to bring to the attention of this government the need, the necessity to introduce laws that will better protect our innocent children. He's been doing that for three years. I've had some conversation with Mr Bartolucci and I've understood some frustration he's had that it has taken so long for the government to understand how important and how pressing it is to enact laws that will protect our children better than they are being protected today.

I know there's been some question about the resources that will be put in place to ensure that after 30 days children who might have been rescued from the unhappy occurrence, the unfortunate occurrence of being involved in prostitution, that there would be resources to support them following 30 days of being held by the province.

While the member from Thornhill has indicated, has given us some assurance that money has been put in place, I think it's important to remind the people of Ontario that in the 2000 budget this government allocated \$8 million to Save the Children Canada. That money was put aside in a budget account and our investigation of that particular budget line is that there was a good deal of planning that happened around that \$8 million but not a penny of it was spent.

I want to have the government understand that we on this side of the House are going to be very attentive to ensure that they would be able to access the resources that you would say you're putting aside to support victims of prostitution; to ensure that they have shelter made available to them, to ensure that the government is providing resources that will enable them to access the counselling that they will need; to make sure that if there's any medical treatment that they would require following, they would be able to access that.

While I appreciate what the member from Thornhill has said, sometimes what the government plans and what actually gets followed through on can be two very different things. I only point the members of the government to the Save the Children Canada initiative, and if I'm incorrect in that presentation, then I do look forward to being corrected and will be very happy to receive that information.

My colleague Mr Bartolucci has also indicated his sincere wish that this legislation would go to committee. It's good legislation. We—Dalton McGuinty and the Liberals in Ontario—will do anything, will support any bill that is going to better protect the children in the province. We do believe, however, that this bill needs a little bit of work.

Mr Bartolucci indicated in debate yesterday—and he was able to point more particularly to those areas of the bill that should receive some attention and perhaps some amendment. I think it would be important for all of us to have that opportunity to take this legislation, that is good, and make it better. We would do this because our children are worth it. Let's not rush it through; let's get it right this time. So I would hope that the government is going to send it to committee so that all members of the Legislature will have that opportunity to make suggestions to make it an even stronger piece of legislation.

It's been a long time in coming, and I'm going to say in this Legislature today that it's been too long. It has taken a full three years. Mr Bartolucci has, I believe it's seven times, presented his bills in the Legislature. Finally you got the message, thankfully. But what we are saying today is, let's do it right this time and get it passed for the kids.

**Mr Dwight Duncan (Windsor-St Clair):** I am pleased to join the debate on Bill 86 and indicate to the House and to my constituents that I will be voting in favour of this bill, although I believe the bill is flawed.

I too want to take the opportunity to congratulate my colleague Rick Bartolucci from Sudbury, who has led the charge on this issue of, first of all, protecting young children who get into the sex trade, helping them get out of it, and making sure that those who exploit them are brought to swift and unequivocal justice.

The provisions contained in the bill with respect to suspension of driver's licence, cost recovery in terms of the costs associated with treating some of the problems that arise from a child's involvement in the sex trade are, in my view, proper provisions in this bill and provisions

that are worthy of the support of the Legislative Assembly and of the people of Ontario.

The Bartolucci bills, Bill 22 and Bill 23, are contained in here, as well as some provisions of Bartolucci's Bill 24, which deals with children in the sex trade again, in adult entertainment parlours. We're pleased that those provisions of the bill were retained.

I should note, however, that Ontario Liberals would have preferred to have seen stiffer penalties, penalties that are consistent with what had been part of Mr Bartolucci's bills. I can tell you, as opposition House leader, we are going to formally request the opportunity to have this bill in public hearings, at least for a day, so that some of the organizations that have had an interest in this can come and make a presentation. We would like the opportunity to have this bill go through clause-by-clause consideration in order that we can propose some amendments, amendments that we believe will improve the bill.

This is an important step forward. I believe it satisfies the concerns that have been raised with respect to the Alberta legislation with regard to constitutional issues and the ability of police to seize kids off streets and so on, and therefore it is worthy of the support of this Legislature.

The government has got to come to the table with the resources that are needed, whether it's for counselling, helping get kids back on track. We know they've already broken some of their commitments in the past in this area. We suspect that with the downturn in the economy and the government's poor financial record in terms of squandering the great prosperity we've had in this province over the last five years, it's going to make it very difficult for them to deal with these matters or any number of other matters in the context of what appears to be the beginning of a severe economic slowdown in this province. That will be a challenge for the government and for the Legislature and for all people of goodwill who want, with good intention, to ensure that young people are not enticed into the sex trade.

This bill, in my view, is an important first step. It is flawed. I hope the government will agree to a day of hearings, a day of clause-by-clause consideration in order that amendments, for instance, to stiffen the penalties can be brought forward, amendments that were contained in our party's bills on this subject matter. I look forward to the government saying in the affirmative that we will have those hearings and have the opportunity to amend this bill to make it better so that when we come to office in two years we're not simply revisiting then, that we get it done right now and make sure that we do all we can to protect children in the sex trade in Ontario.

**Mr Bradley:** As I did in my response to the member for Thornhill, I wish to once again pay tribute to Rick Bartolucci, the member for Sudbury, who has, in effect, carried this issue forward in the form of three different bills presented to this Legislature for consideration. I have to believe that certainly was part of the prompting that caused the government to move forward with legislation of this kind.

This bill is not perfect. It has some imperfections contained within it, but I think the principle of the bill and the incorporation of many of Mr Bartolucci's ideas and proposals makes it supportable by those of us in the official opposition.

**1750**

With social problems of this kind, there are two aspects to them, two ways of addressing them. One is a way of dealing with them through the police and the courts, and that is one necessary component. We can't simply say that because people find themselves in difficult social circumstances, in an environment which is perhaps one that involves poverty and abuse and disadvantage and perhaps even ridicule, a person coming from that background then is allowed to break the law, to engage in activities that are not acceptable to society as a whole and not good for the individuals themselves. We cannot allow that. So there has to be a police aspect, there has to be a court aspect, and that is why Mr Bartolucci has proposed those parts of the bill that deal with the court system, the police action and the legal system.

But we also have to look at what breeds individuals of this kind, what breeds those circumstances where young people will turn to prostitution, will leave home. Most of the time, and I would suspect almost all of the time, it means people have made a choice or have been told to leave their natural home, a home where they were born. We have to try to address those issues as well as we can through the Ministry of Community and Social Services, the Ministry of Health, the Ministry of Education, trying to provide equality of opportunity for those young people so it is less likely they will find themselves in a lifestyle as contemplated by this bill.

Too often, it's either one or the other. Some will take an extreme position on one side and say there should be no police action, no court involvement, and others will say that the courts and the police are the only action that might be necessary, that action by those two entities is necessary. I happen to believe it's a combination that's needed.

I will be watching the member for Dufferin and other parts of Ontario, Dufferin and—what else is it?

*Interjection.*

**Mr Bradley:** Dufferin is good enough I guess, he says, for now. He promised the House, said that it was contemplated in the legislation and promised by the government, that there would be resources in place to ensure that there would be a follow-up after the court system deals with these individuals. We in the opposition, and I'm sure the member himself, Mr Tilson, will be vigilant to ensure that the government will follow through on that commitment. That's going to be extremely important if we're to turn the lives of these young people around.

The penalties that are described for those who live off the avails of the prostitution of these young people are penalties that are necessary. Mr Bartolucci has recommended in his bills a two-year jail sentence. The government has decided to proceed with a six-month sentence.

The members who have spoken, who have the notes from the Ministry of the Attorney General and speak on behalf of the government, will say, "Well, we want to ensure that it's constitutional," yet when I hear them railing on against the federal government about something, they don't seem to worry about that aspect; anybody who would not ask for the maximum possible fine and the maximum possible sentence is soft on crime. I'm not going to make that charge of the government—I think that would be an unfair charge—but we do have to recognize from time to time that the Attorney General's department, when they're looking at legislation, does contemplate any constitutional challenges which may be brought about against the legislation.

This is one time I think we find a pretty good consensus in the Legislature. I must say before I relinquish time to my friend from Kingston and the Islands that I heard it mentioned that the victims' rights bill is going to be held up as virtuous. Mr Kormos has mentioned on many occasions the ruling of Justice Day, which really exposes the victims' rights bill and its weaknesses. It is much trumpeted by the government as a law-and-order bill, as a bill that helps victims, when in reality it does not have that. This bill does have those possibilities, and I will be supporting the bill when it comes to a vote in this Legislature.

**Mr Gerretsen:** I too will be supporting this bill when it comes to a vote later on, because I think it's a good bill, as I indicated before. My question to the government is that you could have done this two or three years ago when the Bartolucci bills were first introduced.

I'd like to just pick up on another point, though, that was made earlier in the debate in one of the questions and answers by the member from St Catharines. Basically what we're dealing with in this bill is the policing aspect of child prostitution, as to what should happen to the pimps, what should happen to the people who are involved with child prostitutes and what action the government can take through its policing mechanism, through the Attorney General's department, and through its legal mechanism.

But if you want to deal with this issue in the long term, you have to deal with the root causes of child prostitution and you have to deal with what we do with child prostitutes. Yes, we can take them off the street for a certain period of time and, yes, arguments can be made as to whether or not their rights may be jeopardized in the five days that they come before a judge, either with or without a warrant, after they've been apprehended. But what happens after the 30 days? That's the issue as far as I'm concerned.

We heard the statement here from the minister, and from various other government members as well, that the government intends to spend \$15 million in effect in

dealing with this problem, and \$15 million is a lot of money. Don't let me for a moment diminish that. But I also know that when you look at my own community, which has roughly 1% of the population of the province of Ontario, to deal with this problem, basically what it would mean out of the \$15 million is about \$150,000. I don't know how far \$150,000 stretches to deal with this kind of situation in my community, when I think of all the various services that may be required in the medical field, in the mental health field, in the supportive housing field and in the medical treatment field. So I'm not so sure; \$15 million sounds great when you look at the one big number, but when you start divvying it up between the communities where this may be a problem, it may not be all that much.

The other question I have is, quite frankly, is this new money that the government and the ministries are committing, or are we just recycling money that is already there in various programs to in effect provide these services already? In other words, is it a phony announcement or is there some real value to it? Is it truly a new initiative with new government resources to deal with the issue of child prostitution? Because you and I know, Speaker, that there have been many, many announcements made by this government repeatedly over the last five years. Sometimes the same program has been announced and reannounced on four or five different occasions, but when we looked at it later on, we realized that no new commitment of money or resources and funding was really forthcoming.

In the two minutes that will follow this session—and it may be tomorrow, from the looks of the clock right now—I would like somebody on the government side to give us a definite commitment that this is new funding, in addition to the programs that already exist out there. I think we're not going to get that, because I think this is just recycled money from other programs. So what we're left with at the end of the day is, yes, a typical kind of government bill when it comes to any of these law-and-order issues. We've got a stronger law out there with perhaps not very strong enforcement, and certainly laws and programs that aren't going to deal with the root causes of a lot of these issues.

That's my issue. It's not what's in this bill. Yes, it's a great bill, from the point of view that it's a good start in the area. Yes, it should have been done three or four years earlier when Mr Bartolucci first brought the idea forward in his private member's bill. But where do we go from there? Why aren't we committing the necessary resources to deal with the real issue of child prostitution?

**The Deputy Speaker:** It being 6 of the clock, this House stands adjourned until 10 of the clock tomorrow morning.

*The House adjourned at 1800.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
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Ancaster-Dundas-	McMeekin, Ted (L)	Hamilton Mountain	Bountrogianni, Marie (L)
Flamborough-Aldershot		Hamilton West / -Ouest	Christopherson, David (ND)
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Brampton West-Mississauga /	<b>Clement, Hon / L'hon Tony</b> (PC)	Kenora-Rainy River	Gerretsen, John (L)
Brampton-Ouest-Mississauga	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée		
Brant	Levac, Dave (L)	Kingston and the Islands /	
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kingston et les îles	
Burlington	<b>Jackson, Hon / L'hon Cameron</b> (PC)	Kitchener Centre / -Centre	Wettlaufer, Wayne (PC)
	Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiles, ministre délégué aux Affaires des personnes âgées	Kitchener-Waterloo	<b>Witmer, Hon / L'hon Elizabeth</b> (PC)
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Chatham-Kent Essex	Hoy, Pat (L)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Davenport	Ruprecht, Tony (L)	Lanark-Carleton	<b>Sterling, Hon / L'hon Norman W.</b> (PC)
Don Valley East / -Est	Caplan, David (L)		Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises
Don Valley West / -Ouest	<b>Turnbull, Hon / L'hon David</b> (PC)	Leeds-Grenville	<b>Runciman, Hon / L'hon Robert W.</b> (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Dufferin-Peel-	Solicitor General / solliciteur général		
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Durham	O'Toole, John R. (PC)	London-Centre-Nord	Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Eglinton-Lawrence	Colle, Mike (L)		Wood, Bob (PC)
Elgin-Middlesex-London	Peters, Steve (L)	London West / -Ouest	Mazzilli, Frank (PC)
Erie-Lincoln	<b>Hudak, Hon / L'hon Tim</b> (PC)	London-Fanshawe	<b>Tsubouchi, Hon / L'hon David H.</b> (PC)
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Essex	Crozier, Bruce (L)		
Etobicoke Centre / -Centre	<b>Stockwell, Hon / L'hon Chris</b> (PC)	Mississauga Centre / -Centre	<b>Sampson, Hon / L'hon Rob</b> (PC)
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Guelph-Wellington	<b>Elliott, Hon / L'hon Brenda</b> (PC)		Minister of Natural Resources / ministre des Richesses naturelles
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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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# CONTENTS

Wednesday 26 September 2001

## MEMBERS' STATEMENTS

<b>Hazardous Waste</b>	
Ms Di Cocco .....	2121
<b>Mabel Emma Bruce</b>	
Mr O'Toole .....	2121
<b>Municipal restructuring</b>	
Mr McMeekin .....	2121
<b>Hate crimes</b>	
Mr Kormos .....	2122
<b>Christian Horizons</b>	
Mr Arnott .....	2122
<b>Yom Kippur</b>	
Mr Caplan .....	2122
<b>Events in Northumberland</b>	
Mr Galt .....	2122
<b>Cancer treatment</b>	
Mrs McLeod .....	2123
<b>Alberto La Rocca</b>	
Mrs Molinari .....	2123

## REPORTS BY COMMITTEES

<b>Standing committee on government agencies</b>	
The Speaker .....	2123
Report deemed adopted .....	2123

## FIRST READINGS

<b>Student Protection Act, 2001,</b>	
Bill 101, <i>Mr Ecker</i>	
Agreed to .....	2123
<b>Anti-Price-Gouging Act, 2001,</b>	
Bill 102, <i>Mr Bartolucci</i>	
Agreed to .....	2124
Mr Bartolucci .....	2124
<b>Martyrs' Shrine Day Act, 2001,</b>	
Bill 103, <i>Mr Dunlop</i>	
Agreed to .....	2124
Mr Dunlop .....	2124
<b>Building Code Amendment Act (Biker Gang Clubhouses), 2001,</b>	
Bill 104, <i>Mr Bryant</i>	
Agreed to .....	2124
Mr Bryant .....	2124

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>Student protection legislation</b>	
Mrs Ecker .....	2124
Mr Kennedy .....	2125
Mr Marchese .....	2126

## ORAL QUESTIONS

<b>Ontario economy</b>	
Mr McGuinty .....	2130
Mr Flaherty .....	2130, 2135
Mrs Molinari .....	2135
<b>Border security</b>	
Mr McGuinty .....	2131
Mr Runciman .....	2131

## Competitive electricity market

Mr Hampton .....	2132
Mr Wilson .....	2132

## Transit services

Mr Hampton .....	2133
Mr Clark .....	2134

## Birth certificates

Mr McGuinty .....	2134
Mr Sterling .....	2134

## Hate crimes

Mr Bryant .....	2135
Mr Young .....	2135

## Tourism

Mr Maves .....	2136
Mr Hudak .....	2136

## Education funding

Mr Marchese .....	2137
Mrs Ecker .....	2137

## Community care access centres

Mrs Dombrowsky .....	2137
Mrs Johns .....	2137
Mr Gerretsen .....	2137

## Workfare

Mr Galt .....	2138
Mr Baird .....	2138

## Health services in Windsor

Mrs Pupatello .....	2138
Mr Flaherty .....	2138

## Professional accreditation

Mr O'Toole .....	2139
Mrs Cunningham .....	2139

## PETITIONS

### Community care access centres

Mrs Pupatello .....	2140
Mrs Dombrowsky .....	2143

### Lord's Prayer

Mr O'Toole .....	2140
------------------	------

### Safe streets legislation

Mr Cleary .....	2140
-----------------	------

### Protection of minors

Mr Wood .....	2140
---------------	------

### Social services

Mr Duncan .....	2141
-----------------	------

### Kidney disease

Ms Martel .....	2141
-----------------	------

### Protection of minors

Mr Wood .....	2141
---------------	------

### Health care funding

Mr Bradley .....	2141
------------------	------

### Northern health travel grant

Ms Martel .....	2141
-----------------	------

### Nurses

Mrs McLeod .....	2142
------------------	------

### Home care

Ms Martel .....	2142
-----------------	------

### Doctor shortage

Mr Gravelle .....	2142
-------------------	------

## SECOND READINGS

<b>Rescuing Children from Sexual Exploitation Act, 2001, Bill 86,</b>	
<i>Mr Young</i>	
Mr Kormos .....	2143, 2152, 2155
Mr Tilson .....	2150, 2155
Mr Curling .....	2151
Ms Martel .....	2151
Mr Stockwell .....	2151
Mrs Molinari .....	2152, 2156
Mr Gerretsen .....	2154, 2158
Mr Bradley .....	2155, 2157
Mrs Dombrowsky .....	2156
Mr Duncan .....	2157
Debate deemed adjourned .....	2158

## OTHER BUSINESS

<b>John Sweeney</b>	
Mrs Witmer .....	2126
Mr Wettlaufer .....	2127
Mr Conway .....	2128
Mr Kormos .....	2129

## TABLE DES MATIÈRES

Mercredi 26 septembre 2001

## PREMIÈRE LECTURE

<b>Loi de 2001 sur la protection des élèves, projet de loi 101,</b>	
<i>M<sup>me</sup> Ecker</i>	
Adoptée .....	2123
<b>Loi de 2001 contre les prix abusifs, projet de loi 102, M. Bartolucci</b>	
Adoptée .....	2124
<b>Loi de 2001 sur le Jour du Sanctuaire des martyrs canadiens, projet de loi 103, M. Dunlop</b>	
Adoptée .....	2124
<b>Loi de 2001 modifiant le code du bâtiment (maisons de réunions de bandes de motards), projet de loi 104, M. Bryant</b>	
Adoptée .....	2124

## PÉTITIONS

<b>Attaque contre les États-Unis</b>	
M. Lalonde .....	2140

## DEUXIÈME LECTURE

<b>Loi de 2001 sur la délivrance des enfants de l'exploitation sexuelle, projet de loi 86, M. Young</b>	
Débat présumé ajourné .....	2158

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## Legislative Assembly of Ontario

Second Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Thursday 27 September 2001

Jeudi 27 septembre 2001



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 27 September 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 27 septembre 2001

*The House met at 1000.  
Prayers.*

### PRIVATE MEMBERS' PUBLIC BUSINESS

#### IPPERWASH PROVINCIAL PARK

**Mr Peter Kormos (Niagara Centre):** I move that the Legislative Assembly of the province of Ontario, on behalf of the people of Ontario, calls on the federal government to immediately hold a federal inquiry into the events that led to the tragic death of unarmed aboriginal protester Dudley George, so that despite the continuing refusal of the Harris government to call a public inquiry, Ontarians may finally know the truth about what happened at Ipperwash Provincial Park on, as the resolution reads, September 6, 2001, clearly referring to 1995.

**The Acting Speaker (Mr Bert Johnson):** Mr Kormos moves ballot item number 19 and, according to the standing orders, has 10 minutes to lead off and will be followed by debate in rotation.

**Mr Kormos:** This matter has been not only before this Legislature but before the people of Ontario, before the people of Canada and, quite frankly, has been a matter of concern internationally now for six years and some weeks: September 6, 1995, an unarmed aboriginal Canadian engaging in a peaceful protest—acknowledged. The information that has trickled, at times haemorrhaged, into the public domain indicates, by virtue of a CSIS informant, one Jim Moses, present in Ipperwash park, that not only was Dudley George unarmed but that the authorities knew he was unarmed. In fact, during the criminal trial of the OPP officer convicted of the negligence which was in effect the homicide of Dudley George, the presiding judge found as a fact that Dudley George was unarmed and that the police knew that he was unarmed.

Critical in the debate since September 6, 1995, has been the growing concern and the incredible wealth of evidence that indicates that this government, the Harris government, so soon after their election to power, played a very specific role, a political role, which constituted interference and constituted direction of the OPP which resulted in the homicide, the death, of Dudley George, an unarmed aboriginal Canadian engaging in a peaceful protest around a piece of land which again, it's become clearer and clearer to the point where it's beyond any doubt, was historic territorial and burial land of aborig-

inal people and one which again it becomes increasingly difficult to deny is a piece of land that they had every right—morally, legally and ethically—to be present on by way of occupation, by way of protest.

This House has heard repeated calls from both opposition parties for a public inquiry into the role of this government—the Premier, the Attorney General of the day, other members of cabinet, including and added to that a backbencher from that community, all of whom are named in a civil action filed by the George family. Let's make one thing perfectly clear: the George family has made it clear from day one that the civil action is all about trying to determine the facts surrounding this event at Ipperwash park. The George family has made it very clear and there's simply no contest to the proposition that that civil action will end tomorrow should there be the calling of a public inquiry into the events surrounding the murder of Dudley George.

This Legislature knows full well the initial—the seminal—evidence which started to generate concerns and which took the concerns of people in the opposition parties and people across this province and country from the level of mere suspicion to the point of genuine, legitimate conclusions and inference about the role that the Premier and his members took in the death of Dudley George, with revelations by way of notes made by people present at the conversations and at the meetings between the Premier, other members of his caucus, his cabinet included, and policing authorities: the now infamous "Get the [expletive] Indians out of the park"; the repeated contradictions on the part of the Premier as he's subjected in question period: one day acknowledging one thing, the next day denying it, one day admitting his presence somewhere and his meeting with somebody, the next day denying it; and now of course the understanding that the Premier's conduct is being driven by the insurers of the government, who are dictating his response here in the House and his determinations, as Premier of this province, as to whether or not a public inquiry should be held, I put to you.

This morning in the Toronto Star, journalists Peter Edwards and Harold Levy reveal yet more, and, I tell you, this is as shocking as any of the evidence that has been put forward to the people of this province. It's as shocking as any of the evidence that's been put forward to date because we learned today—and I submit to you that the evidence is conclusive, that there is no dispute about it, that there can be no debate about the facts as presented in the revelations by Peter Edwards and Harold

Levy in the Toronto Star this morning. Again, they obtained their evidence by the review of documents filed in the court during the course of the civil trial by the George family. It's a civil trial that I tell you has been frustrated day after day after day by the pettifoggery of the government's lawyers and by the legal machinations and legal manoeuvring which are designed to protect the Premier and the other persons named in that civil suit and not designed in any way, shape or form to bring forward the facts as they actually are or to bring forward the truth; it's designed to suppress the truth. Let's make that perfectly clear. Let's understand that. I understand that.

1010

That's the role of defence lawyers. And the Premier and his cabinet and his backbencher have very good defence lawyers, courtesy of the taxpayers of the province. I understand that as well. This is a civil action. It's an adversarial process. It's designed so that the plaintiff, using the laws that exist, has to establish certain facts and, in the adversarial nature of it, the defendants—the Premier and some of his cabinet members and his backbencher—are entitled to use that law to suppress those facts. It's the nature of a civil trial; it's the adversarial system. That's why this doesn't belong in the civil court.

Johnstone Roberts, a great jurist here in the province of Ontario—he really was—someone who befriended me many years ago, now passed away. He was an excellent judge and was acknowledged as such. One of the first things he told me as a very young lawyer, when I began practising law—he took me aside in a very avuncular way and admonished me to remember that in the court system, justice has nothing to do with the truth. This is a judge telling me this, a very experienced judge.

He said that's the problem with the civil process here. It's not necessarily designed to draw the truth to the surface. It's an adversarial system guided by long-standing and traditional rules. I understand those rules; I believe most other people do as well. But we've also got to understand that this isn't a forum where one determines facts in an open and forthright way and in a non-adversarial way.

What did we learn this morning as a result of the inquiries by Peter Edwards and Harold Levy into the recent filings in the civil action—again, an incredibly shocking event. We learned there was a sanitizing, a cleansing, a very significant editing of police officers' notes that were presented by way of disclosure, as the law compels it, in the criminal trials of some of the people charged around the Ipperwash incident. The sanitization consisted of the deletion of the very handwritten statement by that police officer about political interference, heat from the political side.

I tell you that this omission in the typewritten notes was no matter of inadvertence. When you read the handwritten notes and compare them to the transcript that was prepared, it is impossible to conclude that this was mere inadvertence or oversight on the part of some typist or clerical worker. This was a clear effort that amounts, in

my view, to obstruction of justice by somebody at a very significant stage in the process in the course of these events to protect the Premier and his government from the strong and clear allegation of political interference that resulted in the death of Dudley George.

**The Acting Speaker:** The member's time has expired. Further debate?

**Mr Bart Maves (Niagara Falls):** I rise today to speak against this resolution. This resolution is based on a false premise. It is based on the premise that the only way to get to the truth of what happened is through a public inquiry. I disagree with that premise.

We already have a place to get to the truth, not just the truth of what happened at Ipperwash, but the truth of what happened in any case where parties disagree. That place is our courts. Members opposite seem not to have faith in our judicial system. They seem not to trust our independent, respected, impartial judges. But I do.

What issue would be considered by an inquiry? What question would the commission be asked to answer? It's this: Who is responsible for the death of Dudley George? That would be the issue at an inquiry. That's the question the commission would answer. However, that very issue, that very question, is already going to be determined in court. The courts are already dealing with the issue of who's responsible for this tragic death.

The courts have been dealing with this question in two places: first, a criminal case and, second, a civil law suit. The first case went all the way to the Supreme Court of Canada. An officer was convicted of criminal negligence causing death. In other words, the court found someone criminally responsible for the death of Dudley George. You say you want an inquiry to find out who is responsible for the death of Dudley George? Well, the criminal courts have already convicted somebody for that very act.

Two others points about the criminal case bear mention. First, the criminal charge was laid following a full investigation by the special investigations unit—an arm's-length independent investigation by the SIU. Second, at no time during the criminal proceeding was it ever suggested that political direction was given to the officers on the ground—no evidence whatsoever.

Now, the civil case. There's a second place where the courts are already dealing with the responsibility for this tragic death. and it's the civil lawsuit. The issue in the civil lawsuit is whether the defendants, including the government, including Mike Harris, are responsible for the death of Dudley George. That's what is being alleged in the civil case. The allegation is that the defendants are liable for this tragic death. That's precisely what an inquiry would consider and it's already being dealt with in court. In fact, one of the specific allegations being made is that the defendants, Harris, Harnick and Runciman, ordered, permitted and/or allowed the tactical response unit of the OPP to utilize force, including deadly force, against the protesters. The defendants deny that allegation. They say it's a false allegation. But the point is that the court is going to decide the truth of that

allegation. An independent, impartial court is going to decide that. If you want to get to the truth of these allegations, there's already an independent process in place.

But those calling for the inquiry don't want the truth so much as they want political theatre, a media circus. That's what's really behind the call for an inquiry. Consider some of the arguments advanced by the members opposite:

They want an independent, impartial process. The courts are independent and impartial.

They want it headed by a respected jurist. Our courts are full of respected jurists.

They want full disclosure. The court process includes full disclosure. It's called discovery. Already more than 11,000 documents have been provided to the plaintiff's lawyers.

The next step is for all the parties, including each defendant, to answer questions under oath. They want sworn testimony and findings based on evidence. Well, that's exactly what happens in court.

They want an open, public and transparent proceeding. Our courtrooms are open and public and the process is transparent.

Indeed, the civil action is actually superior to a public inquiry in several ways. A public inquiry can't award compensation, but a trial judge can. A commission of inquiry can't make findings of wrongdoing; the courts can. A public inquiry would mean starting all over. This civil action is already more than five years old and the parties are in the midst of discoveries.

All this is known to the members opposite. They know that a court of law is the best place to seek a fair, independent determination of the truth about who was responsible for the death of Dudley George. But they're less interested in that truth than in political gamesmanship. How unfortunate that they've chosen to deal with a human tragedy in this way.

One final point: fairness to the defendants means that they too are entitled to have their day in court. For more than five years they've faced serious allegations, terrible allegations. Each and every one of them denies the allegations, says they're false. Just this week, the OPP defendants again confirmed that they never, ever received political direction. The defendants want the court to decide these allegations. They're entitled to have the court decide these allegations. They are entitled to their day in court, and I agree.

I am voting against this resolution and I urge all members of this House to do the same.

1020

**Ms Caroline Di Cocco (Sarnia-Lambton):** First of all, I will discuss the premise from which the member for Scarborough-Agincourt, Mr Phillips, has consistently been trying to deal with this matter as a way of garnering the truth. That's what this is about. Why is it that this matter of Dudley George incenses us so much? To me it's an issue that deals specifically with social justice. This is an issue about, in my view, a perception that there

was a blatant abuse of power. Speaker, I listened when you began the proceedings about, "Help us to uphold power wisely and well." That does not appear to be the case with the issue of Dudley George.

To me, this is a fundamental premise of a democratic province where the police, who enforce the law, must remain independent of those who are lawmakers. We know that. The police must be free to do their job without influence from the lawmakers. That's what is at the bottom of this.

Gerry Phillips is the member in this Legislature who's been seeking to uncover the truth. There is a huge array of evidence that links the Premier and some of his cabinet members to the decision-making that led to the death of Dudley George. There's a great potential to influence, if not directly, indirectly—it is such a fine line—by the type of intervention that we find evidence for of the Premier and other elected officials, including an MPP who was at the command post during the events.

We have a history of various levels of government whereby MPs or MPPs have just made a phone call to judges or to a police station and they've resigned, only by making a phone call, because they've appeared to interfere.

In the case of Dudley George, the allegations and some of the evidence indicate that the Premier wanted the natives out, period, any way they could. That is the fundamental error of judgment that was made by the Premier, in my view, if the evidence is found to be so.

On the other hand, these actions were taken by the Ontario Provincial Police, and it is the responsibility of the province to hold an inquiry in this matter. I have to say that I disagree that we should force or that we should ask another level of government to deal with the responsibility that in my view is at the foot of the provincial government. We must have confidence in the ability of this Legislature to get at the truth, and the credibility on this matter hinges on the province holding the inquiry.

There's nothing more sinister, in my view, than authority that acts or appears to act unjustly. This erodes the trust and undermines the credibility of those who are here to uphold the law and the lawmakers, and that is the police and the legislators.

I will conclude with this: in my view, the member for Scarborough-Agincourt has been consistent in asking for an impartial inquiry from the province. The province must take action and the Premier and his cabinet must be held to answer to get at the truth.

**Mr Kormos:** That's precisely the point. When I hear the canned responses from the government in their effort to distinguish a civil action from a public inquiry—well, not to distinguish it, a parallel that somehow suggests the paramouncy of a civil action versus a public inquiry—look, the primary function of a public inquiry is specifically fact-finding. Quite right. It isn't about assessing damages, it's about fact-finding. That's what the people of Ontario want, that's what the people of this country want and that's what people internationally, who have

become incredible aware of what happened in Ontario on September 6, 1995, want.

I agree with the proposition that it should have been this province, this government, that called the public inquiry. That would have been the honourable thing for the Premier to do. Honour, however, has not been a particularly strong suit of this government when it comes to this matter—or, for that matter, many others.

This resolution calls upon the federal government to initiate an inquiry. Howard Hampton, on September 10 of this year, wrote to the minister, Bob Naulte, asking him to do specifically that. The problem is the province won't call an inquiry. Six years later the province stonewalls, the province hides behind its insurers and its lawyers in the civil action and the province does everything it can to delay the civil process. The province, the Premier and his lawyers and his colleagues' lawyers do everything they can to frustrate the plaintiff in this civil action, to make sure that it's as protracted as possible, and they use every available opportunity to try to suppress the plaintiff's claim.

I think the opposition is in accord about the need for an inquiry. The sad and tragic reality is that the province won't call one. We, therefore, ask this Legislature to call upon the federal government, because the coalition that has been supporting this issue and making sure that it's at the forefront of the public view over the course of the last six years recognizes that there's an inherent conflict of interest here: the Premier is being asked to call an inquiry into his own conduct.

The federal government clearly has constitutional obligations to aboriginal people. In fact, a very learned legal opinion was prepared by Bruce Ryder, associate law professor here in the city of Toronto, which examined the case law and examined the constitutional obligations and determined—I think beyond any doubt if you read the material, that the federal government has—and in fact has suggested that the ideal scenario, in view of the federal responsibility, this fiduciary responsibility to aboriginal people, would have been a joint call from both the federal government, in view of its jurisdiction, its fiduciary duty to aboriginal people, its responsibility to aboriginal people with respect to their welfare and well-being, that a joint call for an inquiry and a joint inquiry would have been most appropriate.

We have nobody else to turn to. There is, I believe, clear jurisdiction on the part of the federal government, and the law supports this view, that it has the jurisdiction to conduct an inquiry into what happened in Ipperwash. This province, this provincial government, this Premier and his cabinet have shown nothing but disdain for the facts, for the facts as they would be presented in a truthful way in a public inquiry, and has done everything they can to stonewall and frustrate people attempting to conduct the inquiry and to help bring facts forward.

It's for that reason it's imperative that if we're really serious, if we're really concerned about the facts being determined and if we understand as we do that the province is grossly disinclined to call that inquiry—and

that power rests solely in the hands of the government—we then have to look to the federal government to fulfill its responsibility, not only to Dudley George, but to aboriginal people across this country.

The homicide, the death of Dudley George, has been identified by Amnesty International as possibly being an extra-judicial execution. It has attracted the attention of just and fair-minded people internationally. We can't expect that justice or fair-mindedness from the provincial government. I'm hoping today that this House will lend its support for a call to the federal government to exercise the fair-mindedness, justice and pursuit of the facts that this government denies us.

1030

**The Acting Speaker:** Further debate.

**Hon Chris Stockwell (Minister of Labour):** I want to start by saying at the outset that I know I speak on behalf of all members of the government and the House in expressing my sorrow in the untimely death of Dudley George on September 6, 1995, at Ipperwash Provincial Park.

I will say that this is a rather interesting debate. To sit back and see it unfold is difficult at times. First and foremost, these are very serious allegations the members on the opposite side of this House make. The arguments with respect to the federal issue have already been debated and discussed. The federal government has already said they weren't going to get involved. The request to the federal government has already been turned down. I think your leader of the third party wrote to the RCMP this month. The RCMP responded, in writing, saying that, no, they wouldn't be involved either. Those requests were made and those responses have happened.

It's a curious time. It's strange to sit in this place. Substantially, the allegation that's made is that the people on the government side are hiding behind the courts. It's a strange charge. It's a strange allegation. It's strange because I've never heard it before, that the charge is that you're hiding behind the judicial process, you're hiding behind the courts. That's exactly what the member said, that the judiciary that's set in place as a third party, completely unaffected by the government, completely alone and separate, somehow the government has gone around and hidden behind the court system. I guess that's the kind of allegation. I guess we will have to debate that allegation.

I think it's important for us to examine the fundamentals of this case. The fundamentals of this case, as I understand it, are that somehow the OPP received direction from the provincial government with respect to the situation at Ipperwash. That's the nut of the case, as I understand it, in the six years that I've been here hearing the arguments. The nut of the case is that somehow the OPP received some kind of direction from the provincial government in dealing with the Ipperwash situation. As far as we can see, with the crib notes that we've gotten through the process, the only thing that they've attested to is the fact that the government has looked to seek an injunction to have the Indians removed from the park. I

think there have been many occasions in the history of this province where governments have done just that, sought injunctions, and as far as I can tell, I don't think anyone is really harbouring that as the crunch or the nut of the case. So we'll move on.

If we believe that to be the case—and I'm doing my best to understand the opposition's mindset on this. I'm not arguing about whether or not it's a reasonable case or a reasonable argument. What I'm trying to understand is what it is that they believe happened. What is it that they believe took place that would allow such heinous allegations, such serious allegations to be made against members of this government, people I know very well? I guess the bottom line to the whole discussion—and I look across the floor to the members—is that somehow somebody directed the OPP directly. I think then you have to go talk to the OPP. You have to talk to the provincial police who were responsible, in charge, at the time. I don't know how else you can do it.

You can look at notes here and there, but you have to go to the people who were on the ground, in charge of making the decisions, and ask them directly. This is the nut of the case.

**Ms Di Cocco:** What are they going to say?

**Hon Mr Stockwell:** The member for Sarnia says, "What are they going to say?" That's frightening, because what that intones is that the police will lie. It frightens me that anyone across the floor would believe that in such a serious case like this that's before the courts, under oath, senior police officers would lie. I don't believe that. So I look.

The crux of the claim asserted by the plaintiffs is that Premier Harris and other senior members of the government directed the OPP in their response to the Ipperwash occupation. In short, they allege—and this is a serious allegation—that the government's direction led to the death of Dudley George. That's what they allege. That is a very, very serious allegation, one we should not take lightly. If the allegation were on the other side of the House, I would ask for every opportunity for that member to be allowed to prove their innocence, because this is an allegation of death—nothing short—an allegation of death.

So we go to the OPP and we ask the OPP, the senior officers in charge of this situation, whether or not they received direction from the provincial government. Their response is, "Quite contrary." It comes from unimpeachable sources, I might add, because I know some of these people personally. Thomas O'Grady, former commissioner of the OPP; John Carson, the inspector and incident commander at Ipperwash; Mark Wright, an acting detective staff sergeant; and Christopher Coles, who served as chief superintendent, have admitted there was no direction, communication or input by the government into the actions of the OPP at Ipperwash. Those four were in charge. Those four have said, "We received no direction from the government."

It seems to me, as a person who stands here and hears the evidence offered up, that these four people in charge

at the time would have a very weighted opinion about what happened. I would go to them and say, "Did you receive direction from the government about these allegations that this government in fact caused the death of Dudley George?" The answer is a resounding, unanimous no.

So the question must be asked, who are we serving here? We're serving the people. The courts are a tertiary, third party with no input from the government. What better way to determine the guilt or innocence of someone who has allegedly directed the death of an individual in this province than asking the four OPP officers and taking it through a civil court, with a judiciary that's impartial, unbiased and completely fair? Somehow, the members opposite don't believe in this process. I know of no other. If you're asking us to now get involved in the judiciary and not trust them, it's a very, very dangerous precedent. You've made the allegations, folks. You've let them stand. Allow the courts to hear the evidence and make a decision.

**1040**

**Mr Gerry Phillips (Scarborough-Agincourt):** There is no doubt in most people's minds that this very serious issue is best served by establishing a public inquiry.

I say there were three things that we were told at the time of the shooting death. One was that the First Nations had opened fire and the police had to return fire. Second, there was no burial ground there; there's no reason why they would be there. The third thing was that the Premier said, and I'll quote specifically: "I determined nothing. I gave no direction. I gave no influence on it. We left that entirely to the OPP. I assumed there would be negotiations."

This is what the judge in the trial of the OPP officer said about the charge that the First Nations had opened fire: "I find that Dudley George did not have any firearms on his person when he was shot.... [T]he story of the rifle and muzzle flash was concocted ex post facto in an ill-fated attempt to disguise the fact that an unarmed man had been shot." So it was determined in a court that the First Nations people were not armed.

We were also told at the time of the shooting that there was no burial ground, and then subsequently found out that the province itself, here at Queen's Park, had evidence of a burial ground.

The third thing we were told by the Premier was that it was left entirely to the OPP. This is why we need a public inquiry—to determine whether or not that was the case.

The Minister of Labour has just given some interesting testimony here which I think will be helpful. We do know from notes that have been provided to us by freedom of information—and the Premier has acknowledged this, by the way—that there was a crucial meeting on September 6, the day of the shooting, and it's only recently become known that the Premier was at that meeting, Minister Hodgson was at that meeting, two deputy ministers were at that meeting and two OPP officers were at that meeting. The one note that we have

from that meeting says that the Attorney General was instructed by the Premier that he desired removal within 24 hours. That was, I gather from the evidence, what the Premier said; he wanted them out of there within 24 hours.

I have never alleged that the Premier ordered them out by force. What I have alleged is what is in this document: that he did tell them he wanted them out of there within 24 hours. I'm not sure the Minister of Labour has accurately quoted from the affidavits by the senior OPP officers. They're very careful. It's clear in what they say. This was the question they were asked: "You were never directed or pressured by the defendant, Michael D. Harris, or other government defendants or any other member of the government to remove the occupiers from Ipperwash Provincial Park by force prior to the death of Dudley George?" The key words here are "by force."

There also is a similar question asked to them: "Based on your knowledge or information, did Michael D. Harris or any other member of the government—that they did not have any input into or participate or interfere with in any way the command decisions?"

I believe the evidence is quite clear from the information we've been provided, and that is that the Premier was crystal clear to the OPP: he wanted them out of the park within 24 hours. I'd also say that the OPP—this is the communication at the command post just hours before the shooting, where two OPP command officers are saying, "Well, that injunction surprises me. They went from that regular type of injunction to the emergency type which, you know, really is not in our favour. We want a little bit more time."

I would say that the affidavits from the senior OPP officers are crystal clear. The government didn't order them to use force and didn't interfere in the command decisions. But I believe the evidence, based on what we have, is equally clear that the Premier made his intentions crystal clear, that he wanted them out of the park within 24 hours. That contradicts what he said here in the Legislature: that he left it entirely up to the OPP, he had no influence and no direction.

Actually, just the other day in the Legislature the Premier said the OPP had no communication with anybody from the government prior to the death of Dudley George. Well, we know that Mr Marcel Beaubien has acknowledged he was at the police command. A member of the Legislature, a member the government, was at the command post four different times before the shooting death. So what's the public to believe in this? This is why we need the public inquiry.

The Minister of Labour today has put on the record some things that I think, when you look at the specific wordings, do not interpret properly the OPP officers' affidavits. I have said forever, let the truth speak on this. There are allegations, there's evidence, there's information that needs an independent, public adjudication. The government, and this distresses me to no end, has said, "Let the civil case handle it." The public should recognize that the civil case is being fought by the George

family against the weight of the entire government. The Premier has spent, just defending himself, well over \$500,000 against the poor George family. If you had ever tried this in Walkerton—the public would have an uprising if you told the residents of Walkerton, "If you want to find out what happened there, sue us." The government was forced to do the right thing at Walkerton, which was to have an independent public inquiry to get the facts out. So I resent strongly the Premier forcing the George family, on behalf of the public of Ontario, to try and get at the truth, and the taxpayers are using hundreds of thousands of dollars to defend the Premier, when those dollars should be used in a public inquiry. The evidence, I think, is strong that there was inappropriate behaviour. But I'm very happy to let a public inquiry fully explain to the public what happened.

I have some problems with the specific proposal before us, for three reasons. One is that this is clearly a provincial government responsibility. It was a provincial park, it was the provincial police and it was the government of Ontario that were totally involved in this. It is a provincial government issue.

My second concern about the proposal is that one of the reasons we fought so hard for a public inquiry is that governments have to be held accountable. I do not think it is responsible to divert our attention and try to get some other government to hold this government accountable; this government has to be held accountable.

The third thing is that in the end what I believe we need to do is to have a public inquiry that the public will have total confidence in. I think having a federal inquiry runs the very serious risk that it takes on political overtones of one government going after another government, of one police force, the RCMP, going after the OPP, of a federal government going after a provincial government. I think it sets, frankly, dangerous precedents and, furthermore, would undermine the credibility of the public inquiry.

I will continue to do what I've done all along, and that is to focus on the Premier and the province of Ontario calling a public inquiry. I have not called for Premier Harris's resignation, because I think what we have to do is for the public to give them a forum where all the facts can come out, where they can judge for themselves what happened here. To think that the government says the civil case is the appropriate route is a gross injustice to the issue and to the George family. If we want to do what's right for the George family, it is to call a provincial public inquiry. I'll let the truth speak for itself.

1050

**Mr Rosario Marchese (Trinity-Spadina):** I stand quite happily here in my place to support the resolution put forth by my friend Peter Kormos from Niagara Centre, and would argue against some of the comments made by the member from Niagara Falls, the Minister of Labour, and I have some disagreement with my friend Mr Phillips in terms of the final remarks he just made.

The member from Niagara Falls says that those calling for an inquiry don't want the truth. That's what he said.

Is it possible that everyone from the opposition calling for an inquiry would be asking for such a thing if they weren't interested in the truth? That is what this is all about: getting to the truth. The member from Niagara Falls says that civil action is superior. He then argues that at an inquiry, in terms of the commissioners, the commissioner of the inquiry cannot find claims of wrongdoing. Therefore, he's saying, "Let the civil suit go through its course and let's get to the facts."

But the point is that all we want is justice to be achieved and for the facts to come out. The George family is saying, "We will drop our civil action if the government calls for an inquiry." So my point is if the family is saying, "We want an inquiry and we'll drop the civil action," why wouldn't the government facilitate such a move if, in their view, all they want to do is get to the facts? They don't want to go through this civil action because, as the member from Niagara Centre stated earlier on, a civil action is designed naturally for people to go after each other, and you use your best defence, your best armour and your best tools to defend your case versus the other. As the member from Niagara Centre said, it's very adversarial.

We don't know whether the facts at the end of this are likely to come out one way or the other. It all depends on the case and who makes good arguments and what tools each one uses. In the end, the facts may not be the ones that come out, which is all the family of Dudley George wants, what opposition members are asking for, what aboriginal people are asking for and what other observers of this case are asking for.

So why would this government, through the benevolence of the member from Niagara Falls—and presumably he's speaking for the government—say that the civil action is superior? Why would he benevolently say to the family of Dudley George, "You just don't know what you're asking for. The civil suit is better for you, but you just don't realize it"? Why would they argue that way for this family? If in their opinion, and ours, an inquiry gets to the facts, please, let them do that. It's a matter of the cost of an inquiry or the cost of a civil suit, which is already very, very high. I suspect that an inquiry is likely to be cheaper, if the members are concerned about cost, because that's all they ever talk about in any program that I've ever been on. Michael Coren, with the Tory member, argued that they want to spend more money. I'm saying it's just a question of how you spend it.

If we're asking for an inquiry and everybody else seems to agree except you, something is wrong. The Minister of Labour says that the way to get to this is to ask the officers who were present that day. He says the officers said they weren't politically pressured one way or the other to do anything. But that is clearly contradicted by an article just printed today by Harold Levy, wherein it states that an officer at a commanding post "wrote in his notebook about taking 'heat from political side.'"

"Those comments about political 'heat' were not included in a summary of the officer's notes presented to

defence lawyers representing native protesters charged after the OPP operation...."

So the point is that heat from the political side exists. Stockwell said the other two officers say there is no political heat, but this memo suggests there is.

The point of an inquiry is to get to those facts. That's what we want. That's what the family of Dudley George wants. The government should listen to them, because they will drop the civil suit as soon as it agrees to that. The federal inquiry is something that would get to it, because the province seems to be refusing to do it. The federal involvement here needs to be investigated, I say to Mr Phillips, because they have had a part in this that I think we would like to investigate as well.

**Ms Marilyn Churley (Toronto-Danforth):** Let's remind ourselves what this is all about and why this resolution is before us today.

On September 6, 1995, Dudley George was the first indigenous person in this century to be killed in a land rights dispute in Canada. We know—the evidence is there—that a treaty was signed in 1827, saying there was a burial site on the park grounds. A memo dated the day Dudley George was killed quotes OPP officer Ron Fox as saying, "Park is their land, and there is a burial site there."

We know now that those people, including Dudley George, were unarmed. That's the background to why we're standing here again today with yet another resolution to force a public inquiry into this matter.

I would say to the government members and also the Liberal members here today, let's be very clear on this: we, the opposition, have been calling for six years now for a public inquiry. The government members who spoke made it clear again today that they're not going there, that they're relying on this civil suit, which is very expensive to the Dudley George family and to the taxpayers of Ontario.

I understand the government has a clear motivation not to call an inquiry. They're not going to call an inquiry. They made that abundantly clear yet again today. Let's review the reason I say this government is not going to call an inquiry, despite that we stand on our feet again and again and again calling for an inquiry. The motivation is there not to call one by the Harris government because, let me remind people, of some of the facts we know.

These are notes taken at interministerial meetings on September 5 and 6, 1995: "D. Hutton—Premier last night—OPP only—maybe MNR—'out of park only—nothing else.'"

"Larry Taman was also there and he was eloquent—he cautioned about rushing in ... can't interfere with police discretion—but Premier and Hodgson came out strong."

"Premier is hawkish on this issue—feels we're being tested on this issue."

"Hutton: Premier will take lead. Take this back to cabinet—but suspect Premier will be pleased to take lead."

"Deb—has MNR asked OPP to remove them?—they could be formally requested to do so—but how and when they do is up to Premier."

"Deb wants an emergency injunction—doesn't want to wait two weeks."

"Deb—but we could be seen as having control over this—so ministers can't duck if scrummed—and Premier not adverse to this being a provincial government action."

"MNR stress no negotiations."

"Hutton: Premier is firm that at no time should anybody but OPP, MNR be involved in discussions, despite any offers that might be made by KPs (chief etc)—get into negotiation, and we don't want that," and on and on and on.

We have the latest comment today: "political heat" was removed from the summary of the police officer's notes given to the defence representing native protesters.

I would say here today it is very clear, and there's a request from the Coalition for a Public Inquiry into Ipperwash. They want a public inquiry. We, the opposition, want a public inquiry. The evidence and information are there to show that the federal government has the responsibility and can call a public inquiry.

I say to everybody here today that if we want to get to the truth of this matter, we must insist that the federal government call a public inquiry now.

**The Deputy Speaker (Mr Michael A. Brown):** Response?

**Mr Kormos:** The capacity of the federal government to call an inquiry has not been contested in this debate. There's been a tacit acknowledgement that the federal government has the jurisdiction, and indeed it does constitutionally. Subsection 91(24) of the Constitution Act, 1867, gives the federal government jurisdiction in relation to "Indians, and lands reserved for the Indians." This is the clear legal capacity of the federal government to call an inquiry.

Is there a nexus; is there a connection? I tell you there is. Because indeed we know now that before and during the occupation of the park at Ipperwash, the federal government had evidence that showed the validity of the park occupiers' claims. The question is, why didn't the federal government say something publicly? The federal government, the minister, could have averted this whole tragic course of events. Why didn't the federal government say anything publicly? Why didn't it say something to the province? Why didn't it acknowledge the right of those occupiers, those protesters, to be there on their Indian aboriginal land?

1100

We have also learned that the federal government sent military equipment to the OPP, an armoured personnel carrier to be used against the park occupiers, perhaps done extra-legally if not illegally. There is complicity by the federal government in the course of events that led to the death of Dudley George.

That in no way, shape or form relieves the Premier of his responsibility. All the evidence available clearly

demonstrates that the Premier involved himself in such a way that prompted the police to do what they did and resulted in the death of innocent, unarmed Dudley George. An inquiry has to be held. At this point it's clear that the federal government has to be called upon to call for it.

**The Deputy Speaker:** That completes the time available for debating ballot item number 19. The question will be put at 12 o'clock noon.

## RENT REGULATION

**Mr Rosario Marchese (Trinity-Spadina):** I move that in the opinion of this House, residential rents, which in the city of Toronto cost the average tenant almost \$2,000 more this year than they did in 1997, must be reduced. The government should therefore introduce legislation, as recommended by the city of Toronto council, to roll back rents for each rental apartment to their level of 1998 plus an annual increase equal to the rate of inflation. This rent rollback would apply to all rental units in the province to which rent regulation legislation applies.

**The Deputy Speaker (Mr Michael A. Brown):** The member has up to 10 minutes to make his presentation.

**Mr Marchese:** This resolution, in my view, is very, very important. In light of some of the problems we are experiencing in Ontario, we as a government need to do something.

For the last year, we New Democrats have been calling for a rent freeze. Remember, there are 3.3 million tenants—I suspect there are more. A third of the population lives in rental accommodation. Many of them find themselves in economic hardship, find themselves unable to pay the rent and feel secure about their ability to stay in their homes, so I say governments need to do something.

I say the rent freeze is not enough. We need to roll back rents to the 1998 level, which would save tenants approximately a thousand dollars, on average.

*Interjection.*

**Mr Marchese:** Of course, I'll be interested in listening to what some of my Liberal colleagues have to say about this, and my Tory colleagues, although I think I know where they stand on this.

A rent freeze is not enough. While we have seen the profits made by landlords, and while we have seen the value of their buildings go up, which some estimate at \$5 billion—that's why they're doing well in the stock market; I suspect possibly not so well these days, but they're still holding out better than most. But while they're doing well, many tenants are not.

We say to the Tories, you listen to landlords and we listen to tenants. And why do we listen to tenants? Because there are more of them who have more needs than the few landlords who are doing fine by this law, by the so-called Tenant Protection Act, which was designed to protect landlords and not the tenants. In their usual brilliance, they are able to manufacture something which

belies the title when you read its contents. But they're good at it. They've given the impression to tenants that the law was designed and created for them.

The fact of the matter is, vacancy decontrol was the first step toward the elimination of rent control. But vacancy decontrol has permitted the landlords to be able to—

*Interjection.*

**Mr Marchese:** Mr Sorbara probably asked, "Where are the tenants?" Is that it?

**Ms Marilyn Churley (Toronto-Danforth):** That's what he asked. He's making fun of you.

**Mr Gregory S. Sorbara (Vaughan-King-Aurora):** I said no one's listening, Rosario.

**Mr Marchese:** Mr Sorbara, who just got elected, a fine landlord, asked, "Where are the tenants?" That's why I'm waiting to hear Mr Sorbara and other colleagues on my right, to see what they have to say. That's the brilliance of this government, including my fine Liberals here who are so well connected to the landlords. We've got a couple here in the benches; fine cousins they are with the Tories. Mr Sorbara asks, "Where are the tenants?" The tenants, of course, are desperately trying to make a living.

I was talking about decontrolling of rents before I get to some of my other points. The decontrolling of rents means that when you move from your apartment, moving to the next unit or to another apartment, that landlord can raise the rent—

**Mr George Smitherman (Toronto Centre-Rosedale):** Is that in your resolution?

**Mr Marchese:** Hold on, Georgie, hold on. That landlord can raise the rent as much as he wants. And they've done that so effectively, squeezing the tenants in order to make more money. That's decontrolling of rents. It permits the landlord to jack up prices as much as he can and as much as he wants. In a city where the vacancy rate is 0.6%, the landlord can do that and he can get what he wants because there's nowhere to go. So vacancy decontrol is a tool, out of that little toolbox these guys have, to help those poor, desperate landlords who have been suffering in the last four or five years, not making enough money. With the decontrolling of rents, rents have been jacked up so high that many of the tenants can't afford to stay in their units.

I met someone canvassing for my buddy Michael Prue the other day who said, "I make \$13 an hour. I earn good money." That's about \$26,000 bucks.

**Hon Chris Stockwell (Minister of Labour):** It's \$20,000.

**Mr Marchese:** Anywhere from \$20,000 to \$26,000, all right, Chris? He's earning good money and he's saying, "I can't afford to stay in my unit if these rents continue to rise at this level." This guy is not making 20% increases every year. Unlike the landlords who are doing just fine, in the area of anywhere from 10% to 20%, some of these guys don't get any increases ever. So they are at the mercy of the landlords, at the mercy of the markets, at the mercy of this Conservative government and, dare I

say, they would be at the mercy of the Liberal government should they get elected.

A lot of these people are simply looking for government help, from a government that says, "We are not here to govern. We are not in the business of governing. We want to get out of the business of governing," although I think they are about to get into the business of governing as this economy slips. They're going to blame it on somebody. They can't blame it on the NDP any more because we're no longer there, but they're going to have to blame it on somebody.

The tax cuts were supposed to have been the measure to have saved this province. They were supposed to have been the measure that made this province recession-proof. Hey, Mr Banker, you might want to comment on that: "Tax cuts will make this province recession-proof." It isn't working, so I wonder who they're going to blame now.

1110

When you leave the markets to take care of people—and in this case we are talking about tenants—there is no one to protect them from these devastating increases they are facing. Social housing that New Democrats were building, and the Liberals before us, was an important competitive measure to make sure that people of modest means had a place to go. Now they have nowhere to go except on the waiting list, where there are 90,000 people waiting to get a modest affordable unit. But because this government is not building and the private sector is not building, there's nowhere to go except to line up.

Monsieur Leach, if you remember mon ami Monsieur Leach, said, "When we introduce this new Tenant Protection Act, we will have the private sector building like you've never seen before. We will have 10,000 units being built by the private sector." The private sector is not building. Mr Sorbara is not building. They're not building because they can't make any money in this market. We have a tight market where the landlord is able to squeeze by decontrolling of rents, whereby you move and the rent is jacked up, whereby in a tight market the landlord is able to apply at the tribunal for increases on capital expenses that the poor folks have in this good economy, allowing them 4% increases on top of the guideline increases, including the decontrolling of rent increases, and on and on it goes.

The Tories so smugly sit, saying, "The best protection the tenants have are the Tories." Imagine, 3.3 million tenants suffering like we've never seen before under stagnating salaries where they can't keep up with the inflationary increases, the guideline increases. They can't keep up with the fact that there have been increases on the capital expenditures side. They just can't keep up at all. They're looking for justice. They're looking for a government that's willing to help them. Some 3.3 million tenants are looking for help from someone. They're not getting it from the landlords; they're not getting it from governments. I say to you, tenants, you have the power to make governments listen to you. You have the power of the vote. You can show it in a way that will teach this

government a lesson. I'm urging you to support our rent rollbacks, which is a way of helping you.

**The Deputy Speaker:** Further debate?

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm very pleased to be able to speak on this resolution put forth by Mr Marchese. Needless to say, I do not support the recommendation for the province to enact legislation for a province-wide or city-wide rent rollback. Representing my riding of Barrie-Simcoe-Bradford, I think the issue to be dealt with is to increase the stock of affordable rental units. That's the initiative that should be focused on by municipalities.

That's happening at this very moment. The other day the town of Newmarket indicated that for the public housing sector they are waiving or decreasing the DCA charges, developmental charges, for public groups to get involved. For example, Habitat for Humanity is involved in some housing projects in the town of Newmarket. I know in the city of Barrie there's a task force with respect to affordable housing looking at basement apartments, also looking at decreasing—I should say that developmental charges is something that is also going to be looked at, for example, in the town of Newmarket with respect to the private sector.

The solution isn't to roll back the clock and change the rules three years down the line. The rent rollback and/or rent freeze is not possible under the Tenant Protection Act and is inconsistent with a system which promotes market rents. The Tenant Protection Act provides for strong tenant protection through the rent increase guideline while at the same time promoting market rents through vacancy decontrol. A rent rollback and/or rent freeze would discourage investment in affordable rental housing and would create a negative environment for the construction of new rental housing in Ontario and the maintenance of existing rental stock.

A rent rollback and/or rent freeze would take us back to the days of no new rental construction. We are beginning to see the industry build again after previous governments' restrictive policies killed the industry. We do not want to go back to those days and we will not go back to those days. If you increase the stock of rental housing units, then you're going to see the market fall in line with respect to rents.

A landlord, someone I know the member doesn't take into his equation in terms of consideration, has costs that must be covered in the operation of a rental unit. They have the mortgage costs, they have the heating costs and they've got the maintenance costs that have to be taken into consideration. The costs of these commodities are not being rolled back.

Since the implementation of the Tenant Protection Act, the amount that has been invested in additional repairs and maintenance in rental housing has increased over 100%. Tenants enjoy a better quality of life when their buildings are well-maintained. That's just a fact. The Fair Rental Policy Organization has stated that an appropriate increase for this year would be 7%. This would cover the increased costs of heating that were incurred last winter.

I would urge the member to take a hard look at his resolution in terms of how it applies to dealing with affordable rental units. For example, I don't know how that would apply to my area, the city of Barrie, the town of Innisfil and the town of Bradford-West Gwillimbury, where we're seeing what I would consider very affordable housing being built already. In fact, it's probably cheaper to buy a house than to rent, based on where the market is in terms of affordable units.

We're in a different situation than the city of Toronto; it's kind of obvious that we would be. How you can extrapolate and apply this resolution of rollback to 1998 to the city of Barrie and the other parts of my riding I really don't know, and I don't think the member has even thought that through based on this sort of generic resolution that he's putting forth.

If he has any constructive solutions with respect to dealing with municipalities doing something very constructive in terms of increasing the stock—for example, looking at municipalities waiving or reducing their developmental charges to encourage affordable rental housing, or other measures to encourage developers to get into this area, I think the city of Toronto should be able to do that. They certainly are capable of that particular issue. I've said my piece and at this time I'll adjourn my speaking.

**Mr Smitherman:** Before I commence remarks on my own part, I'd like to bring the names of three colleagues of mine to this debate. They're not able to be with us today because of their celebration of Yom Kippur. But they are each members who represent constituencies with a very high proportion of tenants and each of them has a record of fighting on behalf of the tenants in their constituencies. My colleagues Michael Bryant, David Caplan and Monte Kwinter are not here today, except in spirit.

I think this is an interesting second phase of the NDP strategy of offering false hope. We saw an interesting display of the extent to which they're going to try to win seats in the next election, and that is by going to any means possible. Both of the members who have led the strategies are with us today. The member in the front row was very involved in that in the recent by-election and the member who is here today is offering a resolution that is flailing about.

This initiative that is before us ought to be at the start of what will be a very long and unrealistic and expensive list brought forward by the NDP as they try to cobble together a coalition of the vulnerable by offering them every expectation, should they form government—which we know will not happen—that the world will be perfect as it was from 1990 to 1995; this suggestion is just one more example of that.

We can find much fault with the government's legislation, the so-called Tenant Protection Act, and we will. We will move to restore a much stronger element of meaningful tenant protection. But the suggestion that the way to go about that is offered in this resolution today demonstrates the extent to which those guys over there are vacant of any new ideas in terms of getting at that.

And don't take it from me. A coalition of tenants in Waterloo, in a very well-written letter, which my friend from Trinity-Spadina has, pointed out many of the failings with respect to this resolution, that the message of the resolution is fine, that is, that we need to work harder to enhance meaningful tenant protections. I would stand in support of that. But I'm not going to support some resolution which offers to my constituents some sense that this is an appropriate way to proceed.

The people in Waterloo said, "Still, we have some concern of the potential effects of an absolute freeze to rents for a two-year period; rather, we would fully support a freeze or prohibition on above-guideline increases for a two-year period." In that small, short paragraph, the tenants of Waterloo, an association of them, clearly recognize and show us the way that they can come to a much better approach on this issue than the member from Trinity-Spadina has.

1120

The tenants of this province have been burdened with a law which has not offered them meaningful protections. We have seen this. I have a constituency that has the highest proportion of tenants in the province of Ontario. The member from Trinity-Spadina is often over in my riding, attempting to engage activists and others in his cause for rent freezes and now rent rollbacks. But we saw with the earlier resolution today, and we see it here again, that the NDP cannot stick to any strategy for more than a week or two.

First it was a rent freeze; now it's a rent rollback. On Ipperwash it was a public inquiry here in Ontario, and then they run off, trying to focus this issue at the federal level. This is what we can expect for the next 18 months from the NDP. I just want to say to anyone who's watching and anyone who's interested in the public debate that will take place in this province: start to draw up the list today of all of the promises that they make and cost those promises out, because they will make them independent of any context that takes things in their full view, and that is the responsibility of governing.

The Liberal Party will not do that. We'll be a party that brings forward a platform that reflects the needs of Ontarians and also reflects our commitment to being able to govern Ontario in a way that is appropriate to the capabilities of the people of this province and to the government of this province.

The NDP demonstrates with this resolution today that they are on a track that is basically oriented toward offering a false sense of hope to people in this province. This resolution is irresponsible, and I will not vote for it.

**Mr Frank Mazzilli (London-Fanshawe):** It's certainly a privilege to stand and speak to this resolution. Rent control is certainly something that all three parties and governments have tried in different forms, and it continues to exist in a form today. And it's always failed.

If you look at the previous governments, the Bill Davis government certainly introduced rent controls, causing a shortage in rental supply certainly some 25, 30 years ago. With the David Peterson government, that

particular policy was replaced with a sort of bureaucratic form of—if you had to spend a certain amount of money on refurbishing your units, then you could go to the rent control board and get percentages above the rental guidelines. So what that forced every landlord to do was to show what they were spending on each unit or show that they were losing money in the operation of the building and go before the rent review board, or the equivalent at that time, and they were awarded rents far beyond the legal amount that was set by the province of Ontario.

In fact, what we were hearing from people at that point was, "This system just does not make any sense," landlords having to go through this extensive process, hiring lawyers, just to show that they could not afford to operate a six- or seven-unit building. Those days came and went. Then the NDP took power, put an end to that process and just stuck to certain percentages every year, with nothing allowed beyond that. What we saw at that time was units that deteriorated right across the province. No capital improvement had gone into any of these units. Not only that, millions and millions of units across the country and certainly in this province had gone into receivership.

In downtown Toronto, the banks own them all. At some point these units were sold, at probably 20 cents or 30 cents on the dollar, and we started this process all over again. That sort of helped in the short term because the new landlords, if you will, had purchased these units at very low cost compared to the overall market situation. Of course, that has changed.

What has changed? Well, there are no new units out there. Speaking to landlords, and even mutual fund companies, no one will invest in new units. If you take the Toronto situation and look at the property tax per unit in Toronto, I've heard from landlords who have to pay \$3,000 per unit in property taxes, along with heat and hydro. That's \$500 or \$600 a month per unit on rent, and we have people complaining that they have to pay \$600 or \$700 rent.

This is a problem we need to address and I think there are very innovative ways to do it. If governments want to get involved in this, it's not by capping rents but by offering some ways for landlords to construct buildings, whether it's to do the capital depreciation in less than 25 years, along with the federal government, and work that into our tax structure; whether it's reduced percentages, subsidized percentages on bank loans. These initiatives have been tried in the past by federal governments offering a percentage per unit. I think there are many things we can do, but simply to rely on rent control and forcing someone out of business in the short term will not work. I will not support any such policies.

**Mr Sorbara:** It's been, my goodness, almost seven years since I had an opportunity to speak in private members' hour on Thursday morning. When I came back to this place a few weeks ago, I thought nothing had changed. Something really has changed, particularly here in private members' hour, where we used to, as I recall,

get resolutions driven by an individual member's serious interest in furthering public policy.

In this first debate that I've participated in, what we get in the resolution standing in the name of the member from Trinity-Spadina is a two-bit, cheap political trick which is not worthy of any party of this House and certainly not worthy of the NDP, which some of us once used to look to for new directions and new standards. That party is in such terrible shape and on such a skid that no one looks to them any more, least of all tenants of this province. Certainly, this cheap little NDP fantasy, this lollipop, ought not to be supported in this Legislature.

Our friend from Trinity-Spadina takes a cheap political lollipop from Michael Walker in the city of Toronto and seriously suggests in this Legislature that somehow magically we'll just go back to 1998. We'll just say, "Roll back the clock." Well, Mr Speaker, I want to tell you and the members of this Legislature that we have serious, urgent, demanding issues in housing, not only in the greater Toronto area but right across Ontario. We have done nothing over the past six years to provide for the increasing number of people for whom home is a heating grate in the city or the protection of an elm tree in some park. That's the crisis that we have in housing.

1130

Certainly the Conservative government is not going to address it. But the New Democratic Party, which used to have standards, and has lost those standards—we saw that in Beaches-East York. We saw the loss of standards of that party in Beaches-East York. But on housing and on accommodation for tenants, we have serious problems. There is no industry left in Ontario that builds, that constructs rental accommodation any more.

For six years, the Conservative government has said, "Well, we're going to do something about it." I want to tell that party over there currently in government, soon to be in opposition, that the Ontario Liberal Party, when it presents its program to Ontarians, will speak to how we generate a new industry; because ultimately, if we're only going to speak about tenants, we have to talk about creating an entire new industry that can profitably and effectively build new accommodation.

The crisis is not just in rising rents. We acknowledge there's a crisis in rising rents. The crisis is that in a metropolitan area which is growing faster than just about any other on the North American continent, no one is building. There is no new construction. There are no new initiatives from the Conservative government to provide assisted housing. You want a crisis in housing? The thousands upon thousands of people with disabilities, both mental and physical, whose names appear on waiting lists that grow to over 10,000—that's a crisis.

If my friends in this party, this party that used to be a party of principle, think that with this cheap little political lollipop they're going to address the real issues of tenants, they have another thought coming. I invite members of this Legislature to vote against this resolution, not because they have no concern for tenants—we

all have concern for tenants—but because this joke is not worthy of the respect of this Legislature.

**Ms Churley:** It's my pleasure to speak to this resolution put forward today by my colleague Rosario Marchese. It is a private member's bill which I am supporting.

Let me start by saying directly today to the member from the Toronto Centre-Rosedale riding and to the new member from Vaughan-King-Aurora, we see they're running scared today, that they cannot support this motion because they have too many landlords in their caucus and too many landlords that they get fat, big cheques from during elections. We know they would like to support this motion today, but they can't. So what do they do? They get up and make cheap political shots against the NDP.

Because do you know what? They know that the Tories are no longer their enemy, but that it's the NDP, because they're getting greedy. They want to wipe the NDP off the map, and that's their new line, but it didn't work in Beaches-East York.

Let me say directly to them: I'd be careful attacking my principles and my standards in this House, because people of this community and this province know me as a principled person, a feminist, a woman who stands up against child abuse, sexual abuse, violence against women and children—always have, always will. I will remain principled forever on that point. Let's just make that clear. I would also say to the Liberals who spoke today, I wouldn't go there any more if I were you, because it could boomerang. Anyway, it's the Tories that are on the skid right now.

Let's get on to the motion before us today. Let me say that when the Liberals were in a very partisan way making fun of this resolution before us today, saying it's a "cheap political lollipop," I believe it was called—you say that to the tenants out there who are on the verge of being kicked out of their apartments. You say that directly to them.

But what I want to remind you and I want to remind this Legislature is where this came from. It came from Toronto city council. The motion passed 30 to 8. That means that a number of Tories who sit on Toronto city council voted for it and—dare I say?—some of the Liberals' colleagues on Toronto city council voted for it. They voted for it 30 to 8.

*Interjections.*

**Ms Churley:** Let me tell you why, if we can get off these partisan, what shall I call it, disturbances that we have here today. As I said to the member for Toronto Centre-Rosedale, don't go there, because if you want to match your principles and your standards against mine, I'm game. Let's go there, if that's where you want to go.

Now, coming back to the motion, Mr Speaker—

*Interjections.*

**Ms Churley:** The Tories are loving this. You're setting it up. We're the enemy now—

**The Deputy Speaker:** I think it would be helpful if we remembered that only one member at a time has the

floor and that the member would address her comments through the Speaker.

**Ms Churley:** The reason why for quite a while this party was supporting a rent freeze, a motion put forward by my colleague Rosario Marchese, is that Toronto city council is seeing a crisis in this city. It's right across the province. It is quite true that until this government came into power, successive governments—including, as has been pointed out, a former Tory government—brought in rent controls. The Liberals followed up on that. Then, when the NDP was in government, there was such a crisis in rental housing that we brought in the toughest rent control legislation, I believe, in North America. The Liberals voted against that tough new rent control. Why? They said it went too far. I expected it from the Tories; at least you're consistent. They voted against it because it wasn't balanced enough.

But let me tell you why we are proposing this today. We're proposing it today because we genuinely have a serious housing crisis in this city, and indeed across the province.

Because of rent decontrol, when somebody moves out of an apartment for whatever reason and they move into a new one, their rent for a one-bedroom apartment, for instance, is jumping, we are seeing, from 30% to 50%. There has not been a minimum-wage increase in this province since this government came into power in good economic times. We are seeing thousands and thousands of people who are on the verge of being homeless. We are seeing seniors on fixed incomes terrified that they're going to lose their homes.

There is no new affordable housing being built in this province. The federal Liberals have been playing around for some time. They got out of building housing as well. The Liberals in Ottawa got out of building affordable housing, as has this government.

We have a serious housing crisis in Ontario. That is what we're trying to address today. The reason why 30 members, with only eight opposed, voted for this at city council—and we're carrying on that fight for them here—is because, you know, people say that they are the closest to their constituents. I see a lot of people in my constituency office. I don't know if you do or not, but I do. We've become almost a housing office for my riding. Every day we have crises coming to us in my office. You know what, Mr Speaker? Generally we can't do anything for them any more. There is no safety net for them any more. The waiting list is so long for affordable housing that there isn't any any more, even for those in the biggest crises.

What I would like to address here today is, if people are opposing this motion, moving aside the partisan attacks, what are you offering today that's going to alleviate this crisis? Is the government going to announce that it's getting back into providing resources for affordable housing? It's clear to the city councillors, and indeed across the province, that rents have gone up so much over the last few years that a freeze now—it might have worked a couple of years ago, but because no freeze

was put on, rents have continued to go up and up and up, and people can't afford to pay the rents as they stand now. They are too high.

**1140**

Some people aren't eating. And we're not just talking about the lowest on the economic scale; we're talking about the middle range. Mr Marchese referred to one in particular. There are thousands out there who have the same problem. They not only cannot afford a rent increase; they cannot afford the rents they are paying now.

This is a solution that was put forward by Toronto city council. Let me tell you that tenants across this city and indeed across this province support this. So I advise the members in this House today to support the motion and work with us and with city council to find ways to make it work, and I advise the government to bring in real rent controls.

**Mr Steve Gilchrist (Scarborough East):** It is indeed a pleasure to respond to the resolution. It's been quite intriguing listening to the debate, particularly from the various members of the two opposition parties. A very different perspective taken, I would have thought, historically, would have been a common litany of complaints about what has happened in this province in the last six years.

Leaving aside the stark reality that in the five years the NDP had the ability to make the difference not just in rental accommodation but in all aspects of the lives of the people in this province, they put in place rental guidelines that increased rents for tenants in this province 26.5%. That's the incontrovertible fact. To compare apples with apples, in our first five years rents for tenants increased 15.3%. So if the suggestion from the member opposite is that somehow things have gotten worse, I might suggest, with the greatest respect, that his math skills are somewhat lacking.

Before we hear any kind of interjections from the official opposition, particularly Mr Sorbara, who played a key role in the government between 1985 and 1990, rents in Ontario went up more in those five years than in any other five years in the history of this province: over 40% average rent increase in your riding and my riding.

The reality is that we have a systemic problem, and the member has offered as a simplistic solution—and in this I would agree with one of the Liberal members—a very unrealistic solution of simply saying that we turn back the clock. Let's just pretend none of the other costs exist for landlords, none of the other external pressures from other governments exist. Let's just be blind to the reality of the world around us.

In fact there are solutions. My colleague from London offered a couple of examples. Let me go further. Our government has eliminated the provincial sales tax on building materials used for the construction of new affordable housing, up to \$2,000 per unit, which, by the way, is about the total PST load on the construction of what is considered affordable housing. Within weeks of the government giving that tax relief, the city of Toronto—yes, the same people who were the authors of this

resolution, the same people who tell you and me how much they care about tenants, how much they want to be part of the solution to this problem, how compassionate they are—applied a \$2,000 development charge for the first time in the history of the city of Toronto. On what? On new apartments. So at the same time this Legislature gave \$2,000 in tax relief, the charlatans at the city of Toronto stole that \$2,000 back and put up one more barrier against the development industry, which wants to build, which desperately wants to build.

They own the land. The apartment builders in Toronto alone own land, have the zoning and the money to build 75,000 apartment units. They've shown me the stats, and I'm sure they showed them to the members of the official opposition and the third party over these last few years. What is preventing it is the pure economics. Our government has eliminated the tax. The city government has added a new tax. The federal government continues to say, "If you build a high-rise building in Toronto and call it a condo, we're going to give you 7% GST back"—thousands and thousands of dollars per unit. In fact, for the average condo built today, over \$10,000 is handed back by a very grateful federal government that no doubt has received many charitable contributions from those same developers. On the other hand, if you call the building an apartment building, those compassionate federal MPs have said, "You don't get the rebate."

So when we talk about why there are no new apartments built in the city of Toronto, it is purely and simply because there is no developer who is so stupid that he or she would eschew a \$10,000 grant, a gift from the federal government, if he or she builds something else. That's the reality. Other government have to get on the bandwagon, other governments have to cut taxes like we have and the city of Toronto has to stop charging four times as much property tax—\$300 a month more on the average tenant—than they charge single-family homes. That will create new demand and new construction for apartment buildings in Toronto and across Ontario.

**Mr Gerard Kennedy (Parkdale-High Park):** It's a bad day for tenants all around, and we've seen in the last two speakers some of the reasons why. These have been the governments for the last nine years now, and they're the bookends of bad management, the bad people in terms of being able to actually give honour and respect to—the only reason we're talking about this subject in the first place, and the only reason it's the business of the Legislature and not just the marketplace is because in certain areas, and certainly in Toronto, the markets need a referee, and neither the NDP nor the Conservatives get that. They don't understand when there is a need for appropriate response on behalf of people who find themselves in difficulty through no fault of their own.

Let me remind this House that the difficulty is pronounced, that as badly phrased as this recommendation is and as exploitative—and I have to say to the member for Trinity-Spadina, who will get a chance to respond, that I am disappointed. I've been on platforms with him, and I say to him, you are saying something to people that I don't believe, even if you were elected government, you

have any intention of carrying out: a sweeping rollback of rents. You hold it out to them, though.

The one thing I would say to the members opposite is that people in this city need to be able to live with some level of affordability. I say, as the Minister of Community and Social Services walks into the House, this is a government responsible for the deterioration of conditions for the most vulnerable people in the city. I'll just give you some very quick indications of that.

In the spring of this year, the amount of money for people going to food banks in this city was reduced to \$4.55 a day after their rent is paid. That's what they have to cover everything in terms of food, clothing and whatever, and that compares to \$7.40 when this government came into office. The number of children who go hungry, who go without the basic elements of food and nutrition, has increased such that the number of children who are assisted in poor families who go without, who actually miss meals, even though their parents avail themselves of all their own resources and all the help they can get from their families, their neighbours and finally have to beg for food, they still go without in this modern province that has no excuse, and they do it more frequently because of the indifference of the government across.

If we had to depend on what is being put forward by the third party, they would be worse off, because the third party has decided, as has been very accurately mentioned in this House today—in Beaches-East York they have their priorities. I would say to the people in my riding who need realistic measures to help them, if you look very carefully at the comments of the member who introduced this motion, you'll hear him talking more about what damage he hopes to do to the Ontario Liberal Party than any benefit he hopes to bring to people who are disadvantaged in this city and in this province.

There is an honest question to be answered here. In the last three years since this government brought in its tenant rejection act, when it said to tenants, "We care nothing about you," in this city alone there has been at least \$37 million captured in rental increases, \$25 million of it above inflation, and we have no new buildings, and we have no new apartments, and we have higher rents. The question that should have been put is, what's happened to that \$25 million? Who benefited?

1150

I can tell you that in my riding, this government awarded rent increases of 35% at Triller Avenue. They permitted an average increase of 50% at one go at West Lodge, harming some of the most vulnerable working families in this province. People who scratch out a living now live on Kool-Aid or less, thanks to this government.

I refuse on behalf of the people in my riding to be flip with this particular subject, but I do understand that we need to send a message to them that there is a direction the Ontario Liberal Party needs to take. I, as one member of that party, make the pledge in this particular House, in this particular debate, that we will put forward proposals that will have the effect of bringing relief directly to the people who need it, that we will not play games with

their lives, we will not fool around with their everyday experiences, which nobody in this House, with all due respect, can necessarily relate to, because we live it differently and we have made sure that we live it differently.

This private member's hour should serve instead as a reminder of an unmet need, not of an unrealistic solution based on the frustration of Toronto city council or the exploitation of people who deserve better.

**Mr Marchese:** I've got to tell you, I'm smarting from all these Liberal attacks. It really hurts. I've never seen so many attacks and insults on our party as today. I've never heard the Liberals whine so much. My God. Then to hear my good buddy from Vaughan-King-Aurora, who just got elected, using words like, "This resolution is cheap," that we should take this place seriously and this resolution is not serious, that this is a cheap—

**Mr Dominic Agostino (Hamilton East):** It's a stunt. It's a cheap stunt.

**Mr Marchese:** Yes, I know. I'll get to that. Yes, Dominic. Dominic, calm down. "Cheap fantasy," "lollipop." Dominic Agostino: "cheap stunt." Man, I tell you. Mr Kennedy from High Park: "exploitative," "playing games with their lives." I tell you, I don't know. I am hurting.

The member from Vaughan-King-Aurora says so dismissively that the NDP takes the resolution from Michael Walker—poor Michael Walker. This man has worked so tirelessly for his tenants in his ward and he introduces a resolution—by the way, Mr Walker is a Liberal. I hope he doesn't feel badly about the attacks that I think he has had to endure as a result of these remarks. But, Michael Walker, I am on your side and all the tenants in your ward are on your side, and most of the tenants in the downtown area, I know, are on your side. You've taken a position that I believe addresses the needs, the real needs, of people who happen to be called tenants, but they are people who have lives and who are having a difficult time surviving this government and the Tenant Protection Act.

They're real lives. It's not a cheap trick asking for rollbacks so that people get a break, a real break. That's a trick, a lollipop, to people who are suffering? It's not a real resolution? That people might lose their homes and become one of the many homeless in this good economy that we've had for five years is a cheap lollipop, a political trick? I am trying desperately to understand them. I'm sorry; what we're dealing with is very serious. It's not a laughing matter. It's not a joke. You can attack us, Dominic, all you want, and you, George, all you want, but this is a resolution that's serious. In a similar way, our rent freeze was serious and doable. The rent rollback, as much as it is unacceptable to you—I understand—and as much as it is unacceptable to Tories—I understand that too. It may be unacceptable—

**Mr Agostino:** You had five years in power.

**Mr Marchese:** Dominic, hold on. My God.

**Mr Agostino:** You had five years to do it. Why didn't you do it?

**Mr Marchese:** Speaker, control that man.

**Mr Sorbara:** Where are the tenants?

**The Deputy Speaker:** I'll remind members that one member has the floor at a time. At the moment it's the member for Trinity-Spadina and he knows he will address his comments through the Chair.

**Mr Marchese:** It's my time, Speaker. This is a serious, serious issue. Tenants are looking for some sign from any political party. They're saying, "Help us."

We are the party that is there on the front lines saying to tenants, "We want to help." The Liberals are saying, "No, that's a cheap political trick." They don't have any tricks for you but what they've got for you is something—just wait for them to get elected and then they will introduce meaningful rent control, they say.

*Interjections.*

**Mr Marchese:** You see them, Speaker?

**The Deputy Speaker:** I'm having great difficulty hearing the member for Trinity-Spadina. Order, member of Vaughan-King-Aurora.

Member for Trinity-Spadina.

**Mr Marchese:** We have a crisis on our hands. We've got a housing crisis. The Liberals understand that. We understand it too. We have a housing crisis that needs to be dealt with. New Democrats speak about the need to create housing. We have been pushing federal Liberals to go out on their own and do it if the Tories don't want to do it. They've downloaded housing in the same way that the Conservative government has downloaded housing, and I say that is a tragic, stupid political move. You don't download housing the way the federal Liberals have done and the way the provincial Tories have done. It's a fundamental mistake. Attack that.

*Interjection.*

**Mr Marchese:** We support the creation of housing, Mr Sorbara. Why? Because people are looking for affordable housing. They're not looking for condominiums. The ones who can afford it, your clients, perhaps can afford the condominiums, but the majority of people I know want affordable housing that you're not building, that the federal Liberals are not building, that these people are not building.

You want affordable housing, and we have spoken, as New Democrats, to that. This is one specific resolution that says to the tenants, "We are on your side." You're looking for something at a time when you are desperate, and these are desperate times. The tradition of eviction is a result of the new Tenant Protection Act. We are living in that reality—

*Interjections.*

**Mr Marchese:** I'm glad the Speaker is helping me out to calm down my Liberal friends. We're living in a tradition of eviction. We're living, as Michael Walker says, in a tradition of hardship and in a culture or tradition where homelessness is growing and has become acceptable to these Tories.

We say this status quo cannot go on. We argue that change is necessary, and that change at this moment for New Democrats is a rollback and then rent control.

We're saying to the Liberals, all right, if you don't like it, come up with something that we can debate. Don't just say to the NDP, "What you're proposing is not serious, is not real, is cheap." I say to you that I don't mind debating a resolution or a motion that you want to bring forth for us to debate. I'm willing, I'm ready to debate, but please don't just dismiss our suggestion as not being serious. It's serious for tenants, and there are 3.3 million tenants who are desperate.

I just met someone the other day, saying, "I can't find a good, decent apartment for less than \$900, a one-bedroom unit in downtown Toronto." She said, "You can get something for \$850, \$900. You can get it but it's"—she used a very difficult word that perhaps is not nice to mention. She's single. She's got to pay \$950 for a one-bedroom apartment in downtown Toronto, where the vacancy rate is 0.6%. It means that private developers can do what they want. They can squeeze the tenants, as they do to make money so that they can enjoy the profits—

**Interjection:** Big profits.

**Mr Marchese:**—big profits, so that the value of their buildings can stay as high as it has been in the last five years. Five billion dollars of value has been added in the last couple of years. They're doing OK. Tenants are not doing OK.

We're saying to you, tenants, that if you agree with New Democrats, you need to let us know. If you disagree with the Liberals and the Tories, you need to let them know. But we can do this together, and you can bring the government to its knees. You can bring the Liberals to their knees too if they get elected or if they think they can get elected; you can bring them to their knees. You can, but you just have empower yourselves with it. You've got to make them accountable and make the Tories accountable, because your needs are real. The city of Toronto recognized it; 30 to 8 was the vote. It wasn't one man, Walker—30 to 8. Make them listen to you.

**The Deputy Speaker:** The time for debate on ballot item 20 has now expired.

#### IPPERWASH PROVINCIAL PARK

**The Deputy Speaker (Mr Michael A. Brown):** I will now place the question on ballot item number 19. Mr Kormos has moved ballot item number 19. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the nays have it.

#### RENT REGULATION

**The Deputy Speaker (Mr Michael A. Brown):** Mr Marchese has moved ballot item number 20. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the nays have it.

We will call in the members for a vote on ballot item number 19. This will be a five-minute bell.

*The division bells rang from 1201 to 1206.*

#### IPPERWASH PROVINCIAL PARK

**The Deputy Speaker (Mr Michael A. Brown):** Order. Will members please take their seats. Mr Kormos has moved ballot item number 19. All those in favour will stand and remain standing until the Clerk calls their name.

##### Ayes

Bartolucci, Rick  
Bradley, James  
Churley, Marilyn

Colle, Mike  
Gerretsen, John  
Hampton, Howard

Kormos, Peter  
Marchese, Rosario  
Martel, Shelley

**The Deputy Speaker:** All those opposed will stand and remain standing until the Clerk calls their name.

##### Nays

Agostino, Dominic  
Amott, Ted  
Baird, John R.  
Barrett, Toby  
Bountrogian, Marie  
Boyer, Claudette  
Chudleigh, Ted  
Clark, Brad  
Clement, Tony  
Coburn, Brian  
Conway, Sean G.  
Crozier, Bruce  
Cunningham, Dianne  
DeFaria, Carl  
Di Cocco, Caroline  
Dombrowsky, Leona  
Duncan, Dwight  
Dunlop, Garfield  
Ecker, Janet  
Elliott, Brenda  
Flaherty, Jim  
Galt, Doug

Gilchrist, Steve  
Gill, Raminder  
Gravelle, Michael  
Hastings, John  
Hoy, Pat  
Jackson, Cameron  
Johns, Helen  
Johnson, Bert  
Kennedy, Gerard  
Klees, Frank  
Lalonde, Jean-Marc  
Levac, David  
Marland, Margaret  
Martiniuk, Gerry  
Maves, Bart  
Mazzilli, Frank  
McMeekin, Ted  
Miller, Norm  
Molinari, Tina R.  
Munro, Julia  
Mushinski, Marilyn  
O'Toole, John

Ouellette, Jerry J.  
Peters, Steve  
Phillips, Gerry  
Runciman, Robert W.  
Ruprecht, Tony  
Sampson, Rob  
Smitherman, George  
Sorbara, Greg  
Spina, Joseph  
Sterling, Norman W.  
Stewart, R. Gary  
Stockwell, Chris  
Tascona, Joseph N.  
Tilson, David  
Tsubouchi, David H.  
Turnbull, David  
Wettlaufer, Wayne  
Wilson, Jim  
Witmer, Elizabeth  
Wood, Bob

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are nine; the nays are 64.

**The Deputy Speaker:** I declare the motion lost.

#### RENT REGULATION

**The Deputy Speaker (Mr Michael A. Brown):** We will now deal with ballot item number 20. I will permit the doors to be open for 30 seconds.

Order. Mr Marchese has moved ballot item number 20. Those in favour will stand and remain standing until their name is called by the Clerk.

##### Ayes

Bradley, James J.  
Churley, Marilyn  
Colle, Mike

Gerretsen, John  
Hampton, Howard  
Kennedy, Gerard

Kormos, Peter  
Marchese, Rosario  
Martel, Shelley

**The Deputy Speaker:** All those opposed will please stand and remain standing until their name is called.

seniors are now receiving and accustomed to receiving. I hope the Speaker hears that.

#### Nays

Agostino, Dominic  
Amott, Ted  
Baird, John R.  
Barrett, Toby  
Bartolucci, Rick  
Bountrogianni, Marie  
Boyer, Claudette  
Chudleigh, Ted  
Clark, Brad  
Clement, Tony  
Coburn, Brian  
Conway, Sean G.  
Crozier, Bruce  
Cunningham, Dianne  
Di Cocco, Caroline  
Dombrowsky, Leona  
Duncan, Dwight  
Dunlop, Garfield  
Ecker, Janet  
Elliott, Brenda  
Flaherty, Jim

Galt, Doug  
Gilchrist, Steve  
Gill, Raminder  
Gravelle, Michael  
Hastings, John  
Hoy, Pat  
Jackson, Cameron  
Johns, Helen  
Johnson, Bert  
Klees, Frank  
Lalonde, Jean-Marc  
Levac, David  
Marland, Margaret  
Martiniuk, Gerry  
Maves, Bart  
Mazzilli, Frank  
McMeekin, Ted  
Miller, Norm  
Molinari, Tina R.  
Munro, Julia  
Mushinski, Marilyn

O'Toole, John  
Ouellette, Jerry J.  
Peters, Steve  
Phillips, Gerry  
Runciman, Robert W.  
Ruprecht, Tony  
Sampson, Rob  
Smitherman, George  
Sorbara, Greg  
Spina, Joseph  
Sterling, Norman W.  
Stewart, R. Gary  
Stockwell, Chris  
Tascona, Joseph N.  
Tilson, David  
Tsubouchi, David H.  
Turnbull, David  
Wettlaufer, Wayne  
Wilson, Jim  
Witmer, Elizabeth  
Wood, Bob

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 9; the nays are 63.

**The Deputy Speaker:** I declare the motion lost.

All matters relating to private members' public business being complete, this House stands adjourned until 1:30 of the clock.

*The House recessed from 1213 to 1330.*

## MEMBERS' STATEMENTS

### SENIORS' HEALTH SERVICES

**Mr Mario Sergio (York West):** The continuous attack on our purse and those of seniors is evidenced by the numbers of calls and visits I receive in my constituency office, from the delisting of drugs from the Ontario drug benefit plan to other health services being considered and being delisted by our own government. The last letter I received is not from one of my own constituents but, most strikingly, comes from a 91-year-old woman who is very much concerned about the delisting of podiatry services now from the Ontario health insurance plan. This is a concern of not only this particular 91-year-old Ontario citizen but of many other concerned citizens as well.

She also mentions to us that her community care access centre time has already been cut by over 50%, and that the message being sent to us and to the Premier and to the government of Ontario is that the bit of home care service she gets is costing a lot more than the \$200 she received last September.

I hope that the government and the Premier will listen to her message today, which is this: consider very carefully the cost to our seniors in Ontario when dealing with health care and the delisting of services which our

### MARTYRS' SHRINE

**Mr Garfield Dunlop (Simcoe North):** I'd like to add a little bit more information on the Martyrs' Shrine Day Act that I introduced yesterday.

In the summer of 1615, the first French missionaries and traders, led by Samuel de Champlain, arrived in Huronia, at the village of Cahiague, on the shores of Georgian Bay. Soon after, in 1639, the French Jesuits erected a central mission residence called Sainte-Marie Among the Hurons. It became the focal point of contact between the First Nations and the French. It also marks the beginning of Ontario's francophone community.

The Martyrs' Shrine in Midland pays tribute to the heroism of the early French missionaries and the hundreds of First Nations people who worked with them and welcomed the missionaries to this country. These are the French martyrs: Jean de Brébeuf, Isaac Jogues, Gabriel Lalemant, Antoine Daniel, Charles Garnier, Noël Chabanel, René Goupil and Jean de la Lande.

Joseph Le Caron, who conducted the first Christian religious service in Ontario, Giuseppe Bressani, the first Italian to come to Ontario, François Gendron, the first medical doctor known to have lived here, and many others are also included among those remembered at the shrine.

Among the First Nations people honoured by the shrine are Kateri Tekakwitha, Joseph Chiawenhwa, Therese Oinahon, Joseph the Algonquin and many others. Along with Sainte-Marie Among the Hurons, restored by the government of Ontario in 1968, the Martyrs' Shrine continues to this day as a living reminder of these heroic beginnings of Ontario.

This year marks the 75th year since the opening of the shrine in Midland, Ontario. The shrine continues to promote historical education and awareness of events of the 17th century in this province. It witnesses to the spiritual testimony not only of the early missionaries and First Nations people, but now as well to the multicultural and multi-faith celebration of that heritage.

### REGENT PARK COMMUNITY

**Mr George Smitherman (Toronto Centre-Rosedale):** I want to stand today to tell the citizens of Ontario and the members of this House about the spirit of the people of Regent Park. The Regent Park community, in my riding of Toronto Centre-Rosedale, has had a very challenging year, but they're coming back strong.

I want to talk today about an initiative called Pathways to Education. It is an initiative that has been brought forward by the people of Regent Park, strongly supported by the Regent Park Community Health Centre. At its heart, it's an initiative that is designed to keep kids in school and to encourage excellence in education from the standpoint of those kids by making the connection in

their minds very clear: that we need them to go on to post-secondary education.

I've made a very serious commitment to raising \$375,000 this year for that initiative, and I'm very pleased to say that distinguished Ontarians—people like Michael Adams, the pollster, Eb Zeidler, the architect, Dianne Poole, a former member here, and her husband, Richard—have offered their personal support, not only in terms of the cash they can offer but also the willingness to participate in helping to raise additional funds.

This summer I was confronted by a sense of powerlessness that sometimes we face. In association with a community that also needs to work hard sometimes to find its own voice and its power, I am very pleased to say that we're coming back, on behalf of the residents of Regent Park, to make that community and the city of Toronto a healthier, safer place for all the residents.

### CHILD POVERTY

**Mr Peter Kormos (Niagara Centre):** The Campaign Against Child Poverty, in collaboration with faith communities across Canada, is engaging in a campaign beginning today, September 27 through October 4, to end child poverty. In the pursuit of that goal they are encouraging people to engage in this week of prayer, a week of fasting and a call to political conscience. New Democrats join with these faith communities, social justice movements and individuals across Canada who understand that children in this country, and certainly in this province, have been left far behind.

As Shelley Martel, our youth and children's critic, has had occasion to note more than once in this House, this government is so obsessed with corporate tax cuts that it has abandoned children, and we're witnessing this increasing and dramatic and so tragic growth of child poverty that this government has done nothing to abate.

We call on people to join with each other to call upon their government MPPs and to embarrass or cajole in any way they can this government and its members to confront the tragedy of child poverty. This government is one of the authors of child poverty. We call upon this government to be one of the solutions to child poverty. They've got the resources. Forget your corporate friends. Pay attention to our children, for once.

### MORDECAI RICHLER

**Mr Ted Arnott (Waterloo-Wellington):** The world of Canadian letters suffered a huge loss on July 3, 2001, with the passing of Mordecai Richler. A talented writer, commentator and humorist, his Canadian legacy will live on worldwide.

His own words speak to why he pursued his passion for writing as his profession. These musings are from a 1983 edition of the *New York Times*: "The truth is, everybody I knew in my Montreal high school who wasn't going to be another Ted Williams or Barney Ross or Maurice (The Rocket) Richard was willing to settle for

being a writer. As far as we could make out, Hemingway set his own hours. He seemed to go fishing whenever he felt like it. He was on first name terms with Ingrid Bergman and Marlene Dietrich. It had to be a good life."

Mordecai Richler also enhanced our understanding of Canada, of the dynamism created through the coexistence of French and English cultures in Quebec and throughout the country. In his lecture entitled *Canadian Conundrums*, delivered at the University of Waterloo in 1999, he chided then Deputy Premier Bernard Landry for exaggerating the negative aspects of life in Quebec. Mordecai Richler wrote, "We haven't lost our heads, only our apostrophes. It isn't Belfast. Life goes on. Montreal, however diminished, is still to my mind the most agreeable city in Canada. And this is because the two cultures not only confront but also continue to enrich each other."

Mordecai Richler put on paper a continuous quest for honesty and left Canadians with a smart, yet unpretentious sense of life that lives on through his written legacy.

Our sincere condolences are extended to his wife, Florence, and his family that he adored so much.

### HOME CARE

**Mr Michael Gravelle (Thunder Bay-Superior North):** Like all my colleagues on this side of the House, I spent much of the summer break speaking with scores of constituents about how this government's unconscionable cutback in funding to the home care sector is devastating their lives. While it is bad enough that hundreds of people in my riding remain on a waiting list for services, a number that increases monthly, it is equally appalling that numerous people who were receiving the help they needed to stay in their homes have now had their hours cut back to such a degree that many of them may not be able to stay there.

To say that the government's actions are cruel is self-evident. Entire families have been thrown into disarray as they scramble to maintain their loved one's independence while they painfully ponder how their government can justify these cutbacks in service.

What makes this so troubling is that this determination to cap the funding simply makes no sense. Does the government believe that proper home care support will reduce people's need to access hospitals or nursing homes, which will then further reduce financial pressures in these more expensive sectors? I am sure the finance minister would say yes.

Does the government also acknowledge that the need for home care support will continue to increase as the population ages? Again the answer is clear: yes, they do. So I say to the Minister of Finance and his government today, do the right thing, provide the needed funding to the Thunder Bay and district home care sector and all across the province, so that people can continue to live with dignity in their own homes, but also because it simply makes sense.

Minister, your determination to maintain a hard line on this issue is hurting too many people. We beg you to reconsider this heartless decision.

1340

## HATE CRIMES IN LONDON

**Mr Bob Wood (London West):** I rise today to pay tribute to the many thousands of people in the London area who have worked so hard since September 11 to promote respect, understanding, tolerance and unity among Londoners. From a city-sponsored meeting at Victoria Park to an individually initiated gathering at the London Muslim mosque, to literally dozens of other initiatives throughout our community, the overwhelming majority of Londoners have come together to say that everyone belongs and every Londoner counts.

From the time of its founding over 200 years ago, Ontario has always been a province of people with diverse backgrounds, and a fundamental reason for our success has been our ability to include all in the life of our province. We note, however, that a small number of people have attacked Muslims, people of Middle Eastern or Asian heritage and others, apparently because they think the perpetrators of the crimes of September 11 in the United States were of similar backgrounds or affiliations. Such an approach is of course irrational, counter-productive and wrong. Such ideas have always existed in Ontario and have always been rejected by the great majority of Ontarians.

I strongly commend Premier Mike Harris and Attorney General David Young for their firm statements that hate crimes will not be tolerated. Sir Wilfrid Laurier said that the 20th century would belong to Canada, and he was substantially correct. The 21st century will belong to us even more, because we will continue to attract many talented people from around the globe and will continue to give every person the opportunity to fully participate in our national and provincial life.

## MEDICAL SERVICES IN LONDON

**Mr Steve Peters (Elgin-Middlesex-London):** I rise today to raise an issue that requires immediate attention: the potential of London losing its pediatric cardiology program.

On November 1, Dr John Lee, a world-renowned physician and London's only pediatric heart surgeon, is leaving for Halifax. Dr Jane Gillett, a pediatric neurologist, is 95% sure she's leaving for Hamilton. Today London's sole pediatric neurosurgeon, Dr. Andrianna Ranger, says she's disillusioned and unsure about her future in London.

Tomorrow parents of sick children will be marching at Children's Hospital in London. They fear that London's world-class, state-of-the-art pediatric services are going to crumble. With Dr. Lee's departure, 15 to 30 premature babies requiring life-saving surgery each year are being put into jeopardy by this government. Hundreds of children, from Windsor to Thunder Bay, are at grave risk because Mike Harris and his government callously turn their backs on funding specialized services in London.

This government just doesn't get it. There's more to this province than Toronto. In the past five years—primarily in the past year—more than a dozen respected medical specialists have left London. This is intolerable and a dangerous situation that's putting lives at risk.

The Minister of Health must put an immediate stop to this deterioration of London's world-renowned medical status. We need a funding commitment. We need the voices of the three London MPPs on that side of the House to speak up. I urge them to speak up on behalf of their constituents, because you are abandoning your constituents and you're putting lives at risk. Speak up, London members.

## CARL BREWER

**Mrs Julia Munro (York North):** I rise today to pay tribute to a hockey legend, Carl Brewer. Carl Brewer was a great NHL hockey player who was generous to Georgina, a town in my riding of York North.

The former NHL defenceman, known for his scrappy play, died in August. He helped the Toronto Maple Leafs win three consecutive Stanley Cups in the 1960s and gained notoriety off the ice for his battles with the NHL to regain pension contributions made by players.

Many local Georgina councillors spoke of Brewer's generosity and his personality, a nice guy who played a big role raising funds for the building of Georgina's Ice Palace. He was instrumental in getting the NHL old-timers to play a game in Keswick.

Ted Schmidt, a friend who paid tribute to Carl Brewer, said we will "miss his gentleness, penetrating wit and great laugh; his legacy, however, abides: an appreciative army of old players who now walk with more dignity because of the magnificent, misunderstood fanatic, Carl Brewer."

## TRAGEDY IN SWITZERLAND

**Mr Mike Colle (Eglinton-Lawrence):** On a point of order, Mr Speaker: In light of the tragic event that occurred this morning in Switzerland in the provincial Parliament in Zug I wonder if we could have a moment's silence for our colleagues in Switzerland.

**The Speaker (Hon Gary Carr):** Agreed? Agreed.

Would all members and our friends and guests in the galleries please rise for a moment of silence.

*The House observed a moment's silence.*

**The Speaker:** I thank all members and our friends in the gallery.

## SECURITY

**Mr Mike Colle (Eglinton-Lawrence):** On a point of order, Mr Speaker: I was wondering—I beg the indulgence of the House—if we could have a report to every member of this Legislature in terms of security and updates on security in light of the horrific events that are happening around us.

**Hon Janet Ecker (Minister of Education, Government House Leader):** Mr Speaker, just to respond, all three parties indeed discussed this at House leaders today. The Sergeant at Arms has assured us that in the event of something like this happening anywhere else, they review procedures here in the building. If there are changes they wish to recommend, based on that review, those go to the all-party committee that deals with security matters. They would then make recommendations to you, sir. It's my understanding that indeed will occur. If anything needs to come out of that, we would proceed.

**The Speaker (Hon Gary Carr):** Further to that, I know the Sergeant at Arms would be pleased to meet with any member, group or caucus to go through it specifically. I know he met today with the House leaders, but by any means, any member who would like to discuss any issue can speak directly to me and the Sergeant at Arms, together or individually. I also will say that any of those members are free to participate in the security committee. If the members are not aware of it, their House leaders certainly are.

I thank the member for his concern.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### TRANSIT AND TRANSPORTATION

**Hon Brad Clark (Minister of Transportation):** I am pleased to have this opportunity to discuss a new vision for transit investment and expansion in our province. Our government recognizes the need for a balanced, integrated transportation system where both highways and public transit play a key role. This 10-year, \$19-billion plan underscores our leadership role in transportation.

The plan includes a \$10-billion target for provincial highways and a \$9-billion target for transit expansion and renewal. I am pleased to announce the province will invest \$3 billion over 10 years for its share of transit funding.

For every dollar the province has put into funding transit since 1995, the federal government has not even put in one cent—not one cent. At 0.2%, their contribution isn't even a quarter of a penny. Clearly, the federal government needs to do more.

This is no small-scale endeavour. We are taking a leadership role, not only in terms of funding but also in the integration of public transit and highway systems and the coordination of long-term transportation planning and traffic demand management. To that end, the province will provide operating and base capital funding for GO Transit and will create an operating authority for GO Transit that reflects a broader regional representation. We will consult with stakeholders to coordinate transit planning and services throughout the Golden Horseshoe area.

The province, municipalities and the federal government need to work together to make this vision a reality.

So I am issuing a challenge today to my federal counterpart, Transport Minister David Collenette. Over the past year, he has stated numerous times that the federal government "will co-operate with provincial and municipal partners to help improve public transit infrastructure."

Well, Mr Collenette, the province has made its commitment. Now we need a commitment from you.

Clearly, this government is doing everything we can to ensure a safe and efficient transportation system, one that will be key to the long-term prosperity of our province. Ontarians deserve no less.

1350

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** This is a great day in Ontario. In May, when I presented my first budget to the Legislature, I spoke of the need to address gridlock and improve our transportation systems. I spoke of the need to continue building on the superior quality of life we enjoy in this province.

Today I am pleased to share with the House details of our plans in this regard. Through the Ontario SuperBuild Corp, we will invest \$9 billion over 10 years in the development of public transit across Ontario to be used to expand and renew facilities and vehicles. We will take back responsibility for GO Transit, which will relieve municipalities in the GTA of \$100 million a year in direct costs, money that we expect will be reinvested in public transit.

We will cost-share with municipalities across the province for as much as one third of the eligible costs of replacing aging public transit fleets, and we will consult with municipalities and work together with them to help meet their regional transportation needs.

We need and expect Ontario's partners at the municipal and the federal levels to participate fully in developing a better transportation system, one that guarantees our economic prosperity, one that ensures Ontario will remain what it always has been: the best place in North America to live, work and raise a family.

I challenge the federal government to contribute to this important initiative. With the new investments I have announced today, Ontario is contributing more to transit and transportation than any previous government. In contrast, the federal government has repeatedly hinted that it will fund public transit and has repeatedly disappointed the people of Ontario when those hints fade into nothing. It is time now for them to follow through. Ottawa takes about \$2 billion a year from Ontario motorists and returns virtually nothing for transportation. We think it is time they started to give something back. Our money is on the table. Now we want to see theirs.

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** The Minister of Transportation has just told the Legislature about the government's plans to invest in transportation and transit. It's very important that we be sure to invest in the right ways, and in the right places. That's why I am also announcing today our plans for five or six Smart Growth management councils.

### *Interjections.*

**Hon Mr Hodgson:** Obviously, the Liberals are not supporting this initiative, but I can tell you that the people of Ontario are. Anybody who's been stuck in traffic with a longer time away from their family and productivity in this province appreciates the leadership that Premier Harris is showing on this issue.

During our Smart Growth consultations over the last number of months, we've heard frequently that one size does not fit all, that Smart Growth should reflect the unique circumstances of different parts of this great province. We've listened.

The Smart Growth management councils will develop integrated Smart Growth management plans for five or six distinct zones—eastern, southwestern, northeastern and northwestern Ontario, and one or more for central Ontario. These plans will include a vision for economic growth, along with strategies to improve the quality of life and protect the environment.

The Smart Growth management councils will also identify ways to improve the planning and delivery of services right across the entire zone, and make sure that the existing infrastructure is used efficiently, make sure that that happens. As well, they will advise and support the province and municipalities on Smart Growth issues. They will set priorities to help the province make decisions on infrastructure investments, including transit, and on protecting and managing provincial natural resources.

The management councils will include provincial and municipal representation, along with representatives of the private sector. These people will bring a wealth of experience and ideas to the challenge of promoting and managing growth.

Over the last three years, the main job of the Greater Toronto Services Board has been to oversee the operation of GO Transit. It has also provided a forum for discussion of cross-boundary issues across the GTA. Now that the province is creating a new operating authority to coordinate GO Transit services and the Smart Growth management councils to develop growth management plans across broader zones, we propose to wind down the Greater Toronto Services Board.

I would like to at this time thank the current chair, Gordon Chong, as well as Mayor Hazel McCallion, Ann Mulvale, Nancy Diamond and all the members of the board for the excellent work they have done.

Today's transit announcement is an important step forward for the government's Smart Growth initiative. The Smart Growth management councils will bolster the transit initiative, helping the province make important decisions on infrastructure investments. They will help Ontario sustain a strong economy, build communities and promote a healthy environment.

**Hon Elizabeth Witmer (Minister of the Environment):** I'm delighted with today's announcement of our government's transit plan which reinforces this government's overarching commitment to a strong economy and a healthy environment. It addresses the challenge of reducing our reliance on cars while making use of the dual

opportunity of strengthening the economy while protecting the environment. This is another important step in our government's comprehensive environmental strategy for the transportation sector, which already includes the Drive Clean program, an all-party legislative committee on alternative fuels, and the tax rebate for alternative fuel vehicles.

At our recent national meetings on climate change in Winnipeg, all governments expressed concern with the unknowns of global climate change and the need for emission reductions. Transit expansion in Ontario is a good step toward responding to this global issue.

Today's announcement proves that Smart Growth is working in today's Ontario. At its core, today's transit plan will ensure that our transit systems have the resources they need to deliver their clean air benefits. But today's announcement goes further. It will allow public transit to be expanded significantly, increasing the environmental benefits to all people in Ontario. It ensures the continued strength of our urban public transit system but, significantly, it will also improve the quality of Ontario's air.

Already, the GO Transit system reduces air pollution that is equivalent to taking 50,000 cars off Ontario's roads annually. If all of those transit riders were to drive their cars to work and back, 48 additional lanes of highway would have to be built to accommodate the increased traffic. Overall, transit systems in the GTA and the Golden Horseshoe give us air quality benefits that are equivalent to removing 300,000 cars from our roads. In light of today's announcements, the people of Ontario can expect these numbers to improve dramatically in the future.

Improved transit, along with the other initiatives in the plan today, means less traffic congestion, which in turn will reduce vehicle idling and result in less air pollution.

Smart growth requires insight and foresight. Today, our government, under the leadership of Premier Harris, is boldly moving forward to ensure healthy cities, clean air and a stronger Ontario. I look forward to the environmental role of the new regional Smart Growth councils and their mandate to coordinate land use planning, protect water resources and coordinate waste management.

**1400**

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: I rise on a point of order I've risen on in the past and you have found when we raised it. It's specifically standing order 35(d), which refers to ministerial statements. I'll read you that: "After any policy statement the minister shall table a compendium of background information." We have been provided no background information by any of the three ministers who have spoken today. I believe there are two other statements. We've been provided with the statements themselves, but as of yet we have not been provided with the background information.

We have been provided, by the Minister of the Environment, with media notes. I don't know if that's supposed to be the policy. I do believe that an announce-

ment of this magnitude, according to the government—if it's that serious, one would think there would be background information via a compendium from at least one of the five ministers who are using up their 20 minutes in what essentially appears, given there's no policy background, to simply be an exercise in publicity.

**Hon Janet Ecker (Minister of Education, Government House Leader):** There was compendium information that was to be available to the other members. It was inadvertently not in the envelope. My apologies for that. Staff are just double-checking that. I will have an answer momentarily.

**Mr Duncan:** On a point of further clarification, Mr Speaker: Mr Hudak, the Minister of Tourism, did provide a compendium. With the other ministers, we have not been provided any.

**The Speaker:** Just for clarification for all the members, the standing orders say, and I'll be very clear: "After any policy statement the minister shall table a compendium of background information." I understand that's coming. In fact it does not—some ministers may have got it out earlier. I assume the background information will be coming, as per the House leader. But I thank the member for Windsor-St Clair for that point of order.

Inadvertently, the time did go on. I believe it may have been around a minute. We should have stopped the clock. I apologize to the Minister of Agriculture, but we will allow the time for the Minister of Agriculture on his statement.

**Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs):** I am pleased to add my voice today to those of my colleagues the Ministers of Transportation, Municipal Affairs and Housing, Environment, and Finance, as well as Premier Harris.

The government of Ontario recognizes that transportation is indeed vital to Ontario's economy, both inside and outside the greater Toronto area. We also know it's just as important to address these issues in rural Ontario as in our urban centres, because the economic vitality of our rural communities is not achievable without a strong transportation infrastructure.

That's why, last year, we introduced the \$600-million Ontario small town and rural development initiative, OSTAR. Through its two components, this government is assisting our rural communities to address many of the barriers to economic growth that they currently face. Last summer, \$240 million was earmarked to help offset the costs of needed improvements to water and sewer systems and bridges under health and safety initiatives.

As you know, that money is currently being directed to high-priority projects in rural communities across the province. These enhancements are necessary to meet the province's new drinking water requirements, necessary to protect the health of Ontario's residents, necessary, in fact, to meet our goal of having the safest water in Canada.

But of no less importance is the goal to have the safest infrastructure in this country as well. That's why, through the health and safety initiative, OSTAR is sharing the costs of projects with the goal of improving the safety of

our bridges. Safe roadways, reliable transit: these are vital to Ontario's continued economic growth, both urban and rural.

We will make the most of our investment by partnering with our federal colleagues in the Canada-Ontario infrastructure program, and with our municipalities.

I will be consulting with the Association of Municipalities of Ontario and smaller municipalities to confirm that municipal roads and bridges are the priorities for funding in the next round of the Ontario small town and rural development initiative.

If you have travelled any of the rural routes and concession roads in this province, you will know that improvements to our transportation infrastructure are required for the safety of Ontario's residents.

Enhancing this province's infrastructure will boost the confidence of every one of us in Ontario. Knowing that this province is on its way to having the cleanest water and the safest infrastructure in this country will boost the confidence of those outside Ontario as well.

Of course, that bodes very well for the future of this great province. Confidence spurs growth, growth brings opportunity, and seizing those opportunities successfully boosts confidence.

These improvements to transit and transportation, part of this government's vision of Smart Growth for Ontario, will make Ontario stronger.

## TOURISM

**Hon Tim Hudak (Minister of Tourism, Culture and Recreation):** I rise today, from the tourism, culture and recreation perspective on the horrifying events of September 11, to extend, first of all, my sympathies to the families and loved ones of the victims involved in that attack of terror on the 11th. Coming from a border area, many of my friends, neighbours and constituents have been directly affected, and my heart is with them.

I want to extend our thanks to the many emergency workers and volunteers, the Niagara Regional Police among them, who continue to help out in this time of need, clearing up border traffic and trying to help in very difficult circumstances.

While we are all saddened by these events, we must recognize that more work needs to be done both in New York and at home as well. There is no doubt the events of September 11 will affect the tourism industry worldwide, including Ontario. We must, and we will, show the world that Ontario remains a strong and vibrant province, a place of promise.

I want to provide details on the response of the ministry to these horrifying events.

To help stranded travellers cope with the situation, we extended the hours at all of the centres at our border points and for our 1-800-Ontario lines, providing essential border-crossing information as well as helping them find a place to stay.

We have been in regular contact with tourism operators, industry leaders and experts from every part of the province to help us assess the extent of the impact to

date. What I have heard from them is that things are difficult in the aftermath. But as minister, I am committed to working with our tourism partners to maintain the strength and growth of the tourism industry. It's an important and dynamic industry, and almost half a million jobs depend on it.

Earlier this week, I was in Newfoundland meeting with my provincial colleagues and Brian Tobin, the federal Minister of Industry, responsible for tourism. We called on Minister Tobin to be a champion for tourism at the federal cabinet table. I'm pleased to report that Mr Tobin has taken on that cause and I thank him for his support. I am pleased to report that at our conference in St John's we produced a plan for better, more innovative partnerships among governments to help strengthen tourism and tourism marketing in Canada.

Tomorrow I will be hosting a summit that I have called of major tourism leaders and operators from all points in the province. I will be seeking their input on how we can develop a broad, comprehensive response to address the impact of recent events.

Now more than ever it is vital that we continue to build and develop alliances with our friends across the border in the United States. We will move ahead with our binational tourism strategy announced at the Ontario-New York summit this summer between Governor Pataki and Premier Harris to promote Niagara, Ontario, and western New York as one tourism destination.

New York Mayor Rudy Giuliani has indicated that the best way to help out New York is to come and visit the attractions, stay in the hotels, eat in the restaurants and shop in the shops. I agree with his sentiment. My message to travellers coming to Ontario is not to stay in your homes for fear of travelling. That lets terror win. Get out and continue to enjoy the great things we have to offer in this province. Go to Oktoberfest in Waterloo or a play in Toronto, enjoy the fall colours in the Agawa Canyon outside Sault Ste Marie, or take a drive along the Niagara Parkway. I would encourage all Ontarians to get out and see for yourselves that Ontario truly has "More to discover."

**The Speaker (Hon Gary Carr):** Responses?

#### TRANSIT AND TRANSPORTATION

**Mr Mike Colle (Eglinton-Lawrence):** The announcement today about funding GO Transit is a monumental reversal. It's an admission that the downloading of public transit on to municipal taxpayers was not a good idea. It wasn't sustainable. In fact, the downloading of transit like GO on to municipal taxpayers was plain stupid. There was no other government in the world that downloaded transit on to municipal taxpayers. This government did. And they basically did nothing for the last six years but promote sprawl and cut off all funding to transit.

1410

Subsequently, they created such a mess—if you look at the gridlock on our roads, you created it. Now you have to fix the problem.

The problem now, though, is that the gridlock is even worse, the money needed is even more, and this is a government that now claims to have discovered public transit. I don't trust them, and I don't trust their numbers. We have one minister saying he's going to spend \$3 billion over 10 years. Another minister says they're going to spend \$9 billion. The other thing is, we've got this government that also claims it has spent \$3.2 billion on transit since 1995. The announcement today says they are going to spend \$3 billion over 10 years. So this announcement today is basically a cut in funding to transit, if it's \$3 billion as compared to what they said before.

All the experts, all the mayors, all the transit riders in this province told this government in 1998 that downloading public transit was stupid. They were right. So they should admit today and have the guts to say that what they did in 1998 was stupid and unworkable. They should have the guts to admit that.

Today this reversal, this monumental flip-flop, is an admission of the fact that this government doesn't know what they're doing. They basically plan things on the back of a napkin. I hope this so-called announcement about funding transit is not about a hidden agenda to have their well-connected Tory friends build these hare-brained transit lines in hydro corridors, because their friends are trying to get at this money and the friends of Minister Flaherty want to build these transit lines in hydro corridors. This money should go into running the day-to-day service of GO and the day-to-day service of the TTC, not into hare-brained schemes for their friends who are quietly plotting that this money be put into their back pockets.

So I warn the people of Ontario: don't trust these guys. These are the same guys who said transit was not a good thing five years ago. Don't believe them.

**Mr Gerry Phillips (Scarborough-Agincourt):** The tragedy is, we've lost six years of transit, unfortunately. I say to the minister: I remember a year and a half ago, with a big smile on his face, the big announcement of the billion-dollar SuperBuild millennium fund. Not a penny has been spent in a year and a half. I look at your budget, Minister: the smallest amount on capital in 20 years in the province of Ontario, and next year is about the same—he's got the number in here. So I say to the people of Ontario: I don't listen to what they say; I watch what they do. A year and a half ago they said this SuperBuild millennium fund was going to be a great, billion-dollar program. They've spent nothing. In his own budget, the smallest amount on capital in 20 years and similar numbers for next year.

So to the people of Ontario: they made a huge mistake; they're trying to fix it. But don't listen to what they say; we'll watch what they do over the next few months.

#### TOURISM

**Mr John Gerretsen (Kingston and the Islands):** It's really extraordinary: we had one minister make an announcement, three ministers congratulate that minister on

making the announcement and the last minister basically saying, "Stay tuned till next week, because I'll be making my announcement." That, in my opinion, is a total misuse of ministerial statement time.

We know that tourism is one of the largest industries in the province, employing more than 400,000 people. We all know that. What the tourism operators want to know is what you are going to do to help them with their infrastructure problems. Many, many small operators throughout this province—and I too travelled the province from one end to the other this summer in order to speak to the small and large tourism operators and the associations, to get better input and better insight into the tourism industry. They want government to lead and to help them, to make sure we remain one of the best places to come to for tourist attractions.

### TRANSIT AND TRANSPORTATION

**Mr Howard Hampton (Kenora-Rainy River):** What we heard today from the government was a monumental admission that they were wrong. This government that so arrogantly said six years ago that transit is merely a local issue, that the province need not involve itself in the issue of transit, that there need not be any provincial money in transit, this government that said with such arrogance that it was going to download transit on to municipalities, has now been forced to admit today that they were wrong, completely wrong.

The fact of the matter is, in a modern, complex economy, urban transit is one of the fundamental building blocks for urban economies, and urban transit cannot operate on a for-profit basis. It is one of those bedrock services upon which you can build other economic activity. It's so sad that it took six years and almost the bankrupting of urban transit systems across the province for this outfit to figure it out.

Since this morning, we've had a bit of an opportunity to actually look at the numbers, and I invite all municipal officials across the province to look carefully at the numbers. Because a study which was done by the Greater Toronto Services Board determined that just for GO Transit and TTC, just for those two, the capital deficit is so bad because of your six years of neglect that \$800 million a year in capital refurbishing will be required. I'm not talking about Ottawa or Hamilton or Kitchener or London or Windsor, any of those other major cities. Just for the greater Toronto area, TTC and GO Transit, \$800 million a year is required.

If you read the fine print, this government now says the municipalities will put in \$300 million a year, they'll put in \$300 million a year and the federal government will put in \$300 million a year, and over 10 years you'll get to \$9 billion. But watch how quickly the \$9 billion starts to fall apart. What happens if the federal government, which has promised all kinds of things and not delivered, can't deliver \$300 million a year? What happens if the municipalities that you've downloaded ambulances and child care and social assistance and affordable housing on to simply can't come up with \$300 million?

Suddenly this won't even cover the greater Toronto area. It won't even cover the TTC and GO Transit, never mind all the other transit systems. So I say to municipal officials: watch this carefully, because this looks very much like the big announcement and then you don't know where the money is coming from.

I just want to add another part to this. This is a government that really has a penchant for privatizing good public services. We had one of the best hydroelectric systems in the world. The government wants to sell that. We had a very good stock of affordable housing in this province. The government got rid of that. I want to say to municipal officials: be careful that this takeover of GO Transit isn't just a mechanism whereby this government can then sell off GO Transit to a private operator, leaving people who need transit to pay higher and higher transportation costs.

Finally, there's something else that citizens across the province should be worried about in this announcement. There is a need for a Greater Toronto Services Board to look after regional planning, to look after the coordination of sewer and water, to look after the coordination of highways. The Golden report spells all this out. What is this government going to do? It's going to do away with the Greater Toronto Services Board, and then it's going to invite its private sector corporate friends to come to the table on these so-called Smart Growth councils and start making the planning decisions. Again, what it means is that important decisions like planning sewer, planning water, planning road locations, planning overall, are really going to be delegated to a body which is dominated by their private sector corporate friends. People had better be careful about this.

**Hon Janet Ecker (Minister of Education, Government House Leader):** Mr Speaker, on a point of order: For the record, just to assure the honourable member opposite that there indeed was material in the envelopes. We've actually even done a quality check. It was stapled to the back of the statement. I'm sure if someone would like to look at that, they may find it.

Some of it was even very helpfully labelled "compendium"; some of it was labelled "backgrounder." But just to make sure that we have the copies where they're supposed to be, I have another copy for the honourable member.

**The Speaker (Hon Gary Carr):** I thank all members for their co-operation on that point.

1420

### ORAL QUESTIONS

#### ONTARIO ECONOMY

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of Finance. Minister, the chief economist for TD Canada Trust was quoted today as saying that his latest forecast for Ontario's economic growth this year is going to be just 0.8%. In your budget in May, you assumed 2.2% growth. According to TD

Canada Trust projections, Ontario this year will have the lowest economic growth in the country.

The projections for next year aren't particularly rosy either. They forecast that our growth next year will be 1.5%. You made reference in your budget to growth anticipated next year of 3.5%. TD's forecast for our growth next year also will have us as the last in the country in terms of our rate of growth.

Why do you keep telling us that things are fine when it is clear that Ontario's economy is into a real slowdown and you are failing to recognize that and act on it?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** I'm sure the Leader of the Opposition is aware, as everyone else in Ontario is, perhaps except him, that there is an economic slowdown, that that economic slowdown is anticipated, and that the government of Ontario budgeted for the economic slowdown. That's not news; that's been well known for weeks, if not months. I'm sure the Leader of the Opposition is aware of that.

What is "fine," as he refers to it, is the fact that the government of Ontario, in its budget process, ensured that we planned ahead, taking into consideration the anticipated economic slowdown. For that reason, we are in a position to balance the budget in Ontario, which apparently his Liberal friends in Ottawa can't do.

**Mr McGuinty:** I'm pleased that I've finally been able to convince Ontario's Minister of Finance that our economy is experiencing a slowdown. I'm pleased that he now recognizes what Ontario families have known in their hearts and what Ontario businesses have witnessed in their books.

Minister, I've given you TD Canada Trust's projections for this year and their forecast for next year. What I'm looking for from you are your numbers. Businesses today in Ontario are scrambling to revise their growth projections and to prepare new financial plans based on the slowdown and the horrific events of September 11. We expect that you in government would do the same thing. So will you now commit, sooner rather than later, to table in this House a new economic outlook and fiscal plan?

**Hon Mr Flaherty:** It's obvious, I think, to everyone that there was an anticipated economic slowdown which has happened. I think it's also obvious to everyone, including, I trust, the Leader of the Opposition, that there are certainly effects from the September 11 tragedies in the United States. These are matters that have economic consequences. I'm sure everyone is aware of that; it's hardly news. We have to be prepared in Ontario to have economic forecasts that will be revising downward the anticipated growth in Ontario. That's also not news, and there will be more, I tell the Leader of the Opposition. As they are reported, there will be more.

The good news is that we anticipated that in Ontario, and therefore we can have a balanced budget.

**Mr McGuinty:** Minister, it's not just a matter of getting this year's budget balanced. There are other things that you can and should be doing. You cannot

merely preside over an economic slowdown; there are some things that you can and should be doing. I put some of those to you before and I'll remind you of them.

In addition to presenting your fiscal statement and economic plan, I think somebody over there should be meeting in an emergency way with the governors of New York state and Michigan to secure our trade. Some 93% of our exports go south of the border, and there's a very real danger connected with slowdowns at our border crossings, particularly in that we live in a just-in-time world.

I think you should renew your efforts to bring down interprovincial trade barriers. I think it's important for us to understand, now that we have so many of our eggs in the American basket, we should do what we can in order to secure more trade across the country. I think you should host an economic summit. Bring together labour and business leaders, consult them and get their very best advice, given that we're now moving in uncharted waters. Those are a number of positive proposals, Minister. You can't just sit there and tell me that the best you're going to do is balance the budget.

**Hon Mr Flaherty:** I understand that the Leader of the Opposition is very fond of meetings and he may have noticed that Premier Harris met with Governor Pataki, that we've done a great deal of work with our major trading partner, our American neighbours, and that we have a very positive relationship with them.

The Liberal solution is always to spend money. That's what they did between 1985 and 1990. So badly did they manage the Ontario economy that in 1988 Ontario's credit rating was put on credit watch. That's Liberal financial management. But that's not all.

This leader says, "Here's what we should do with government spending." Dalton McGuinty says, "We're living in the age now of surpluses. The issue is, what's the best way to spend this money?" That's what Dalton McGuinty said in February 2001, CHOK-AM in Sarnia. That's not apparently what he says today.

#### IPPERWASH PROVINCIAL PARK

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Deputy Premier. I want to return to the Ipperwash affair, the matter involving the shooting death of an unarmed man. There was a criminal trial held after that shooting death and in that trial disclosure was made by the government to the defence counsel. Disclosure, as you will know, Minister, is all about bringing forward evidence that the government has and giving that information to the defence. Now, instead of a copy of the notebook of an OPP officer who was at the scene, the government provided a summary to the defence of the passages found within that notebook, and it turns out that crucial passages were left out of the summary—passages that said, "Heat from political side. Made strong comments in the House."

Minister, can you tell us why those vitally important passages were left out of the summary?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** As I'm sure the Leader of the Opposition knows, since he is a lawyer, as I recall, if you are a party to a proceeding, and the OPP is a party to a court proceeding, one is obliged to produce the documents that one has. The documents that are OPP documents have therefore been produced by the Ontario Provincial Police, so we do have evidence in court now. But that evidence in the court documents from the OPP officers, including the former commissioner and the incident commissioner at Ipperwash, is unequivocal: there was no interference with police actions.

**Mr McGuinty:** We're just talking about some very important evidence that was withheld from the defence, Minister. As bad as this story is, it gets worse.

I want to bring to your attention another serious omission that we discovered in the so-called summary. On page 38, the summary says: "John Carson states that we're on the right track." But here is what it said in the original handwritten notes: "Premier, no different treatment from anybody else. We're OK. On the right track." Let me repeat that. The summary said: "John Carson states that we're on the right track." The original says: "Premier, no different treatment from anybody else."

Minister, the summary left out another direct reference to the Premier. Now, those who prepared this summary, employees of the government, omitted a reference to the Premier providing direction on how to treat the protesters. Minister, again, why was this reference to the Premier left out of the evidence?

**Hon Mr Flaherty:** I repeat to the member opposite, since he doesn't seem to accept it, that in a civil proceeding it is the party that must produce the documents that are in its possession. The Ontario Provincial Police have produced certain documents. I understand that he is critical of the Ontario Provincial Police. He feels, I gather, that the Ontario Provincial Police, in this court proceeding, have in some way acted improperly. But the evidence is unequivocal from the OPP court documents, and that is that there was no interference in the police actions.

1430

**Mr McGuinty:** I'm talking about documentation that was supposed to have been introduced or produced as evidence for a criminal trial when some members of the First Nations were on trial. That's what I'm talking about. The defence lawyers representing those men should have had access to this evidence, but it was denied to them. This is extremely serious. There could have been an obstruction of justice here.

Somebody on the government side left out statements such as the following: "Heat from political side." That wasn't produced. "Made strong comments in the House." Somehow that was removed from the summary. "Premier, no different treatment from anybody else." Somehow that reference to the Premier was removed from the summary.

Minister, let me give you a recommendation, the one we've been making for such a long time now: in order to

get to the bottom of this, in order to find out exactly what happened, in order to get at the truth, we must hold a full, independent public inquiry. Will you finally agree to do the right thing and hold a public inquiry?

**Hon Mr Flaherty:** Since the Leader of the Opposition is interested in recommendations, may I offer a recommendation to him? That before he makes accusations he ought to have a look at basic procedure, including criminal procedure in criminal prosecutions. The productions in a criminal prosecution of course come from the police. So again he is criticizing the Ontario Provincial Police and making allegations against the Ontario Provincial Police. Those are police matters in criminal prosecutions in terms of production of documents. He should know that; in fact, as a lawyer he probably does know that but chooses not to acknowledge it.

#### TRANSIT AND TRANSPORTATION

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Deputy Premier and concerns the announcement which he took part in today at the GO station.

You've been forced to admit that your strategy of six years ago to download urban transit on to municipalities was a completely wrong-headed decision. You've been forced to admit that it made absolutely no financial sense and no transportation sense. To that degree you're announcement today is a good thing.

But because we are very concerned, since your government has a penchant for selling off valuable public services, I want a guarantee from you that you will not now take GO Transit and privatize it and sell it off to one of your private sector friends.

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** I can tell the honourable member that as finance minister I have to deal with the transaction that his government did with respect to the rolling stock of Ontario, which I gather they characterized as a sale at one time, which the auditor felt, no, it was actually some kind of financing agreement. So I would be wary were I he to be suggesting ways of dealing with Go Transit and the assets of GO Transit. Having said that, this is a great day in Ontario. This is a fabulous vision.

When this government was elected in 1995, it was a time of doom and gloom in Ontario. Since then, because of the difficult decisions that Premier Harris and his team made, we have had fabulous economic growth in this province. It calls for increases in population. We improved the highways: \$6.5 billion spent on highways in Ontario since 1995. Now we have to marry that with a great vision of transit that the Premier has.

**Mr Hampton:** It was a very simple question; it requires only a yes or no answer. I simply ask, are you going to provide municipalities and citizens across Ontario with a guarantee that your takeover of GO Transit is not just setting the table for you to go out and sell the whole operation to your private sector friends? We've watched your government sell off what has been one of

the best hydroelectric systems in the world. We have watched you sell off Ontario's affordable housing stock and create a housing crisis across the province.

This is vital to the urban economy. There is no urban transit system anywhere in the world that can operate on a for-profit basis if it's going to serve its citizens.

So yes or no, Minister, will you guarantee people that you have no plans, no strategy, no intention to sell off the operation of GO Transit to your corporate friends?

**Hon Mr Flaherty:** This from the leader of the third party, who was a cabinet minister, as I recall, when his government purported to sell the rolling stock, and didn't even do that right so it turned out not to be a sale. So I have a lot of trouble sort of lending credibility to the suggestion.

Listen, this is great for the economy of Ontario. When the other ministers and I were together with the Premier this morning in the yard in Etobicoke, you could see all those great locomotives. You know, they're built at General Motors in London. You see the great double cars. There are going to be more of them bought. They're all built by Bombardier, Hawker Siddeley up in Thunder Bay. This is all great for the government of Ontario. We're going to have more rolling stock, more buses through our partnership with the municipalities across the province of Ontario replacing aging fleets. This is great news. This is a vision for transit and transportation for the next generation in the province of Ontario.

**Mr Hampton:** Let me just illustrate why this is such an important question. In Great Britain, under a government of identical stripe to this one, the train system and much of the transit system were privatized. The result for people in England has been an untold number of train accidents with literally dozens of people killed and hundreds of people injured.

Ensuring that you have a public transit system that is operated publicly, administered publicly and that works with the best interests of people in mind, not the profit figure in mind, is absolutely essential in our urban environments.

You can quibble over whether you want to lease some of the equipment or you want to own some of the equipment or you want to acquire some of the equipment on a fancy lease deal. You could quibble over that. In terms of the health and safety, particularly of residents of the greater Toronto area, will you guarantee that you will not, you have no plans, no intentions to privatize, to sell off the operation of GO Transit? Yes or no?

**Hon Mr Flaherty:** This is from a government that tried to sell all the rolling stock and couldn't even get that right. Now they're saying, I guess, that that was a mistake on their part, that they ought not to have tried to sell all the rolling stock of GO Transit.

The good news is the government of Ontario is back in GO Transit, which means "government of Ontario transit," as everybody knows.

If you live in the Golden Horseshoe, you know that the GTA is only part of regional transit in this part of Ontario. The wonderful growth that we have goes from

St Catharines through Hamilton, through Guelph, through Kitchener-Waterloo, Alliston, Barrie—the fastest growing city in Canada, the mayor of Barrie tells me—Orillia, back around to Lindsay and Peterborough, Port Hope and Cobourg. This is the great success area, the great economic development area of southern Ontario that will benefit terrifically from this brilliant initiative by the Premier on transit and transportation.

1440

#### IPPERWASH PROVINCIAL PARK

**Mr Howard Hampton (Kenora-Rainy River):** My next question is also for the Deputy Premier. Raised today in the press is an allegation that under your government's authority, under your government's operation, the administration of justice, the criminal justice process in Ontario was essentially undermined; that a police officer's notebooks were not made available at a criminal trial in order that your government could continue to assert that the Premier gave no direction on how the police were supposed to handle the Ipperwash controversy.

Minister, this is an incredibly serious allegation in a democracy, and as Deputy Premier, you owe it to the people of Ontario to tell them here and now what you're going to do to investigate this apparent obstruction, this apparent undermining of the administration of justice in Ontario. What are you going to do?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** Thank you, Speaker. Through you to the leader of the third party, who is also a lawyer, I expect he knows, or if he doesn't know, he ought to know, that the productions in litigation are from the party; that is, they are from the Ontario Provincial Police.

**Mr Hampton:** Yes, they are through the Ontario Provincial Police, under the supervision of the crown attorney. It is the crown attorney who gets called on the table when defence counsel discover that the crown attorney has been withholding evidence. You're a lawyer. You ought to know that. So don't try to blame this on the Ontario Provincial Police.

This is a most serious allegation in a democracy, that the criminal justice process, the disclosure of police evidence, in this case a police notebook, was deliberately withheld in order to protect the Premier and to keep out of the public light that the Premier was very much involved in directing police activity. You owe it to the people of Ontario, you owe it to the criminal justice process in Ontario. What are you going to do? What are you going to do now to uncover how such an undermining of the criminal justice process could have happened under your government?

**Hon Mr Flaherty:** As the member opposite knows, or ought to know, in the criminal proceeding the productions from the police are produced by the police, whatever police force it happens to be, in this situation the Ontario Provincial Police, and given to the crown attorney. So his criticism, if he has one, is of the Ontario

Provincial Police. I, for one, unlike the member opposite apparently, have full confidence in the fairness of the administration of justice in the province of Ontario.

#### TRANSIT AND TRANSPORTATION

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Minister of Transportation. Minister, in 1998 your government made the foolish, reckless and irresponsible decision to download on to our municipal partners responsibility for public transit. So for three years they have been struggling under that unbearable burden, and today we understand that your government has made a very half-hearted attempt to reverse that.

What I'd like you to do now, Minister, is on behalf of your government apologize to Ontario municipalities, who have been struggling to shoulder a burden which was totally unfair for you to saddle them with in the first place, and to admit that you made a terrible mistake in the first instance.

**Hon Brad Clark (Minister of Transportation):** I would like to thank the leader of the loyal opposition for his question. When I became the Minister of Transportation, our government was in discussions with municipalities, and as we were discussing transit and transportation infrastructure with the municipalities they stated that they would like to see long-term financing and funding. They actually credited us with the investment we had made in transit. The TTC put posters up crediting the Premier for his investment in transit, and they asked to work with us.

We have worked with them. We've come to an agreement. It's a three-way agreement: a third from the municipalities, a third from the province of Ontario and a third from the federal government. We've communicated with all of them. I think it's a fantastic day. The municipalities are praising us. The AMO president has stated, "I trust the federal government will join the province and Ontario municipalities in this partnership."

Let me tell you something, folks: the municipalities are very pleased. Apparently, it's only the Leader of the Opposition who isn't pleased.

**Mr McGuinty:** I'll tell you why we're very concerned over here: because it's your particular track record, the track record of this government. This is the third announcement of major provincial funding for public transit in the last two years—

*Interjections.*

**Mr McGuinty:** Here comes the punch line, and I'm sure this will disappoint the government members: that money has never flowed. So they're good at making announcements, but they're not particularly good at advancing the money.

First of all, let's be truthful about this announcement. It's not a \$9-billion announcement. At its very best it might be \$3 billion in terms of your commitment to this. But given your record of failing to advance money, Ontario municipalities are left wondering how truly committed you are to this particular announcement. Why

should Ontario municipalities, why should the people at GO Transit, given your record of failing to advance monies, believe that you are in fact going to advance these monies in a timely way?

**Hon Mr Clark:** Once again, I do thank the leader of the loyal opposition for his question. It is startling when we come out with a plan that we have negotiated and worked through with municipalities and with the federal government, a plan that brings all three parties together—I can remember standing in this House and talking about bringing the three levels of government to work together—that the Leader of the Opposition all of a sudden wants to slam it. He doesn't like it when people work together. He doesn't like it when people move up and work with the government. He doesn't like it when Ann Mulvale agrees with us. He doesn't like it when Rick Ducharme from the TTC says, "This is a very positive announcement." He doesn't like it when the Canadian Automobile Association says, "The provincial takeover of GO Transit and investment in capital improvements is great news for Ontario." He doesn't like it when Greg Sorbara says during a by-election in a letter to Mario Racco that the government should be funding a third of construction—and we are.

#### EMERGENCY PREPAREDNESS

**Ms Marilyn Mushinski (Scarborough Centre):** My question is for the Solicitor General. Much has happened since the unspeakable horror of September 11. Many of my constituents in Scarborough wonder how prepared we would be if, God forbid, such a tragedy occurred within our borders.

I read in the *Globe and Mail* this morning that former RCMP commissioner, Norm Inkster, is calling on the federal government to appeal to the provinces and local authorities to review emergency preparedness. Is Ontario prepared to take up such a review?

**Hon David Turnbull (Solicitor General):** I'd like to thank the member for this question. Security of Ontario citizens is absolutely the top priority of our government. I certainly welcome the suggestions of Mr Inkster, which I saw in the paper today. We are certainly well underway in this regard.

Our government is determined to ensure that all necessary measures are taken to protect the safety of Ontario citizens. The province has demonstrated a very sound emergency response team. In light of the attacks, which were absolutely unprecedented, we are undertaking a complete review of all aspects of our communications and our readiness at all levels of government, and we will be working with both the federal and municipal governments in this respect.

**Ms Mushinski:** Thank you for that response, Minister. Leading off Monday's historic debate, our Premier made several commitments. Would you please share them with us today so that every member of this House and indeed every Ontarian knows that their government is committed to safety and well-being.

**Hon Mr Turnbull:** The Premier has called for the OPP to review ways we can fight terrorism more effectively. We are consulting with the OPP and indeed other municipal police services on all aspects with regard to this. We're going to review all levels of government and agencies as to how they can better share intelligence information and we're going to look at ways to strengthen provincial legislation to prevent terrorist acts. We're going to be working with the federal government to see how we can work with them in terms of federal enhancements to legislation. But let me make it absolutely clear to everybody—we will protect the citizens of this province.

1450

### EDUCATION ON INTOLERANCE

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of Education. I know that in this House we are all very concerned about recent ugly displays of intolerance. There was a particular incident in my community in Ottawa where a dozen youths set upon a 13th and beat him into unconsciousness.

One of the things I have heard from teachers is that they have yet to receive any materials which might help them address these issues in the aftermath of those horrific pictures they've all witnessed on TV.

I'm wondering, Madam Minister, if you have any plans, which I would ask you to implement in short order, to help provide our teachers with materials—they need not be overly lengthy—so they might, at the earliest possible opportunity, raise the issues of intolerance inside the classroom and, at the same time, help our children and young people deal with the horrific events they would all have witnessed several times over on television?

**Hon Janet Ecker (Minister of Education, Government House Leader):** I share the honourable member's concern about incidents that may have occurred or have occurred in some communities. I know certainly that all of us as members of this House have gone out of our way to try to show the leadership we can in our communities, or in our capacities, for tolerance, for not letting what happened at the World Trade Center and in Washington and Pennsylvania cause incidents of intolerance against any group. I certainly share that.

Secondly, school boards and teachers, as part of the curriculum, as part of the processes they have in place, have a wealth of information and procedures. Many schools and boards, from what I've been told when we've been in contact, have done great service in helping children through this. It has been wonderful to see them do their jobs and do them very, very well. If there's a need to make sure all boards are sharing the information, to send more information, I'll certainly be prepared to look at it, but I must say it has been wonderful to see good people doing good jobs on behalf of our kids.

**Mr McGuinty:** Madam Minister, I share your sentiments, but I want to take it one step further. I think these

are exceptional circumstances, and they call for an exceptional response. When I refer to "exceptional circumstances," I refer to the events of September 11, where our children and young people witnessed terrible things on television, and I refer to some of the aftermath, much of which, I am convinced, has not been recounted in the media. There have been acts committed below the radar, which have not been picked up, where our young people and children are being affected in a negative way, and I refer to acts of intolerance.

I have a specific proposal for you. Why couldn't you direct that next Friday every teacher in every classroom in Ontario will raise the issue of intolerance with his or her students and be given the opportunity to tell Ontario's students that we have what the world needs and it's very important for us to preserve it and cherish it and celebrate it? I think there's a very important message for us to deliver to our children and our young people, and I think one of the things we should do is seize the opportunity, effective next Friday. You could direct that. You could make it happen. I think it's an important and exceptional response to exceptional circumstances.

**Hon Mrs Ecker:** I must confess I am a little concerned at the honourable member's suggestion. I appreciate the spirit in which he makes it, but I wouldn't presume that this House or this government would tell teachers what is appropriate and what they should be doing professionally to deal with the children in their classes. If they have had a class where they've already been through this, or if they've had a class where students were not able to deal with this, I don't think it's appropriate to go out and order them to do something like this.

One of the things that has impressed me greatly is the wonderful things that schools and boards have already done and continue to do. It is incredible what they did to help our kids through this. If there needs to be more information or supports, as I said, I'm quite prepared to meet with boards and talk about that. But the last thing teachers need is for any government to say, "Thou shalt teach the kid this about this tragedy that happened in the United States." I trust the professional judgment, and I trust the work of the social staff in those schools and those school boards. It has indeed been a good job that they have been doing on behalf of our kids.

**The Speaker (Hon Gary Carr):** Stop the clock a quick moment. I understand the Minister of Consumer and Business Services is going to make a reply. Just for clarification on this so everyone knows, the minister will reply to yesterday's question. There will be time for a supplementary. Any member can do it; I believe it was the leader of the official opposition. The government will then lose their question and then it goes down to the third party, just so everybody knows the procedure.

### BIRTH CERTIFICATES

**Hon Norman W. Sterling (Minister of Consumer and Business Services):** Yesterday, the member for

Ottawa South asked what I consider a very good question about birth certificates in this province, and I promised to bring in more details today.

I want to assure members of the House there is at present no evidence of any significant misuse of the Ontario birth certificate system. Nevertheless, as I said yesterday, our ministry had already begun a review of the vital statistics services some time ago. I can now tell the members that the review included an OPP audit in the fall of 2000, which produced 94 recommendations for fraud prevention. Of the 94 recommendations, 59 have already been implemented. Implementation of a further 14 is underway. An additional 21 recommendations require technology upgrades or changes to statutes and regulations. Our ministry plans to have those 21 underway by mid-October, either by tabling draft statutes and regulations or initiating the necessary IT upgrades.

We have already considered a variety of new security features in these proposals including, for example, the requirement to have a guarantor, as you would for a passport application. We have said before, and I repeat, that constructive suggestions on security will be taken seriously by our government in light of the events of September 11. It's necessary that we all participate in meeting that challenge.

One other issue remains; that is, the member's suggestion that there is no safety check mechanism for applications not made at the counter. I do not in any way want to dismiss the member's concern, but it must be said that the Registrar General's office does use confidential information in the birth registry to review for fraud. That office estimates that 16% of the applications received by mail, fax or courier are rejected initially. A further 5% are rejected after a second level of scrutiny. That second level of scrutiny often includes highly detailed questions for the applicant. These questions are frequently asked, but to tighten up for the interim I have directed the Registrar General to ask a number of additional applicants these questions.

Before permanent steps are taken, members should know that our birth registry system is little different from the systems in other provinces and in fact in most of the United States. With this in mind, and with a view to what happened on September 11, I have written to my counterparts in other provinces to begin a process of reviewing the procedures across the provinces to make certain that any changes we might make here are shared across Canada.

**Mr Dalton McGuinty (Leader of the Opposition):** I appreciate that the minister has taken the issue I've raised to heart and has obviously been involved in a review of many of the procedures, with a view to ensuring they are more secure.

I remain unclear, though, Minister, and I ask, in your response, if you might tell the people of Ontario what has changed specifically with respect to applications for birth certificates. Under the existing form, we need only provide some basic information—date of birth, mother's maiden name, father's name, address—and in fact some-

body else might apply on our behalf if it's a spouse. Has that changed? If it has, effective when, and how has it changed?

**Hon Mr Sterling:** I don't know all of the 59 changes that have been made already in the Registrar General's office. These were suggestions by the OPP to improve our ability to detect and do away with fraud.

However, I would add to the member opposite that I intend to introduce a bill in this Legislature in the very near future where we will be discussing all these matters in detail and give members of the Legislature the opportunity to ask those questions to the people who are involved. As you know, it is difficult to discuss what security measures you are in fact taking, because once they are known, then people can avoid them.

I want to say to the member opposite that I want to thank him, and I would like to invite other members of this Legislature to make suggestions to either me or to other ministers in order to improve our security systems. I hope we can have a fruitful and constructive discussion when I bring forward this piece of legislation.

1500

#### FAMILY RESOURCE PROGRAMS

**Ms Shelley Martel (Nickel Belt):** I have a question for the Deputy Premier. Last week your colleague the Minister of Community and Social Services made an announcement regarding Early Years centres. I would like to know what role the existing family resource programs in Ontario will have in these centres.

**The Speaker (Hon Gary Carr):** Stop the clock for a moment. For those at home, the lights have dimmed a little bit. I assume that members don't have any problem if we continue. I think we can still see properly, so we will continue. Minister.

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** I understand that we're providing \$30 million this year to support Early Years centres, so there will be a gateway for parents, allowing them to find answers to questions they have about their child and be referred to services to support them in their parenting role.

We're also increasing the funding we provide for intensive services for children with autism, expanding our commitment to \$39 million a year, and we're also increasing the funding for children's mental health services by \$6.9 million, bringing our total commitment to over \$330 million annually.

**Ms Martel:** The question was about family resource centers. With respect, your colleague has produced a document to guide the creation of Early Years centres and it doesn't mention family resource programs at all. This, despite the fact that there already exists a wonderful network of family resource programs in Ontario, developed in 1975, which already provide important supports to parents and their families, including toy lending libraries, nutritional information for new moms, drop-in centres, resource information for parents etc. In fact, it

was the family resource program model that Mustard and McCain endorsed in the Early Years Study.

We have 274 family resource programs now which are delivering all or most of the services that your government says it wants delivered by these new Early Years centres. So, Minister, instead of using federal money, because it's federal money and not provincial, to create 103 other centers, which will result in fewer services for families than the services currently offered through 274 family resource programs, why don't you use the federal money to support and enhance the existing system of family resource programs in Ontario?

**Hon Mr Flaherty:** This government's interest in the well-being of children did not start when the federal Liberals came to the table. Indeed, in this year's budgeting there is \$114 million of new money, new money from Ontario taxpayers, to assist in this regard.

As I say, \$30 million this year is dedicated to the Early Years centres. So there will be that gateway for parents, allowing them to find answers to questions they have about their child and be referred to services to support them in their parenting role.

It has been a cornerstone of our agenda since Mike Harris took office in 1995 to address the early years concerns of parents with children.

#### EMERGENCY PREPAREDNESS

**Mr James J. Bradley (St Catharines):** I have a question for the Solicitor General in his capacity of being in charge of emergency services in Ontario. Unfortunately, Solicitor General, you and I have to contemplate things that we didn't want to, that no one wanted to contemplate before September 11. One of those is the possibility of a chemical attack on someone, a biological attack, which could have some difficult circumstances for us.

I would be interested to know from you how much vaccine is available to deal with smallpox in Ontario today, or anthrax, or perhaps the plague, how you would anticipate dealing with that. I recognize that we didn't contemplate what was going to happen, so I don't say that in a critical sense to the minister. I'd like to know what our circumstances are in that regard and, second, what the government is doing to change the circumstances, to alter the circumstances, in light of what happened on September 11.

**Hon David Turnbull (Solicitor General):** I think this is a very important question that has been discussed in the media lately. Clearly, as part of the review that the government is undertaking of all emergency measures, both at the provincial level and at municipal levels, we are looking at such issues. I will direct you, perhaps in the supplementary, to speak to my colleague the Minister of Health with respect to the specifics of the amounts of vaccine that are available and those aspects.

But clearly we're taking very seriously all the possible threats that could occur in this province, and working with the federal government and reaching out and work-

ing with municipal governments and the OPP and the municipal police forces, so that we can look at all possible ways that terrorists could strike and what our response will be. As the Premier committed and as I have followed up, we will be reporting back to the House in the next little while with our actions.

**Mr Bradley:** I thank the minister for that answer. I asked that in light of the fact that in the US, for instance, there's only enough for 7% of the US population, and we have these threats. But there's another threat I would like to talk about. I won't get into the detail of the other at this point because I realize I'm asking a question that you may not have the detail on right now.

The other is the movement of hazardous materials around Ontario. I have read and seen, as you have, that there have been 10 people arrested in Missouri, Michigan and Washington state on charges of fraudulently obtaining licences to transport hazardous materials.

The question I would ask you is—again, in a general sense—whether you are satisfied with the fact right now that there are people who can fraudulently obtain such licences, even outside of this country, let alone perhaps in this country; and second, what measures you're undertaking to protect us as much as possible from the threat that would come from, for instance, trucks that might be carrying hazardous materials and could cause great damage or harm to the general population.

**Hon Mr Turnbull:** As part of the general review of all our emergency preparedness, we are looking at such issues as possible fraudulent licences for transporting hazardous materials. I think this is causing every administration in the world pause to step back and say, "How can we do it better?" The important thing is, we don't want our citizens to be scared that we're not prepared. I have to say, if you're going to be anywhere, in terms of safety, Ontario is one of the safest places in the world. I have lived in several countries of the world, and I'm proud of this province and the commitment we collectively have to the security of our citizens.

But after the events of September 11, I don't think any government at any level can take anything for granted. That is why we're undertaking the most fundamental review of all aspects of security. We will be reporting back to the House, but I want to emphasize to the public of Ontario that the security of the citizen is paramount.

#### HEALTH CARE REFORM

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** My question is for the associate minister of health and long-term care. As we are aware, there are pressures and realities that are currently facing the health care system, not just in Ontario but throughout the world. Although I'm not aware of all the difficulties the world is having, certainly we need to look outside of the box to ensure sustainability of our health care system.

Minister, at the end of July this year every household in my riding, as well as throughout Ontario, I'm sure, received a health survey asking them for their input,

ideas and concerns in ensuring the long-term viability of our health care system. Many have come to me personally with their thoughts and input on how they can see the system to be beneficial. Can you tell me how many people, within those two months, have come forward with public dialogue? And can you inform us what the progress of that is?

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** I thank the member for the question. Public dialogue has had amazing success in Ontario. Questionnaires were sent out to 4.3 million households in English and about 250,000 in French. As a result of that, to date we've had about 450,000 responses; that's about 20,000 responses every day. So the people of Ontario have truly been engaged in this process. They've really wanted to speak to the government and tell them what they think they need to be able to strengthen the health care system.

The people in Ontario wanted to be heard. The people in the riding of Bramalea-Gore-Malton-Springdale also wanted to be heard. We've heard from many, many people on how we can improve the health care system in the province of Ontario, what's working in the system and what needs to be altered in the system.

They've also talked to us about what we might do to make changes. They've talked to us about what we might do to—

1510

**The Speaker (Hon Gary Carr):** Order. I'm afraid the minister's time is up. Sorry.

**Mr Gill:** I'm very, very happy that so many people are responding, and I know the answers to questions are still pouring in.

Some of my constituents appreciate the idea that this is their input that we're trying to listen to. In a recent discussion on these services, someone had questioned why this government would take the leadership in opening up the discussion of improving the health care system with the public, when the federal commissioner on health care, Roy Romanow, appointed by the current Prime Minister, will report on his findings in November 2002. Could you please explain the reasoning behind this, as well as help explain why the public dialogue is necessary here in Ontario?

**Hon Mrs Johns:** I'd like to thank the member for the question. I also want to say that a great number of people are responding to this survey because they want to be heard, not only by the government of Ontario, but by the Romanow surveys, too. We want to make sure that when Roy Romanow comes to the province of Ontario and asks Ontarians what they think, we have the documentation to be able to show him what the people of Ontario want.

As everyone recognizes right now, there are a lot of discussions happening about the health care system and where we should be going in the future. With the information we're receiving from the people of Ontario, we'll be ready to help in the Romanow survey. We'll be ready to help as we make decisions about health care in the future. We'll be there because we'll have the

information directly from the people on what they want in their health care system in these years and generations to come.

## CORPORATE TAX REDUCTIONS

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Minister of Finance. He was here a moment ago.

**The Speaker (Hon Gary Carr):** Could we stop the clock, please? Oh, there he is. Proceed. Sorry.

**Mr Phillips:** Minister, in about three months, you will begin implementing a plan that, according to the budget, will cost about \$2.2 billion to have corporate taxes in the province of Ontario 25% lower than that of our competitors, our neighbouring US states. We understand the need for competitive taxes. The policy issue, though, is what is the policy rationale for why Ontario needs to have corporate taxes 25% lower than our major competitors?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** As I'm sure the honourable member opposite knows, reducing taxes in the Ontario experience, led by Mike Harris, has resulted in increasing revenues. Particularly in a time of economic slowdown, I'd suggest to the member opposite, it is a very good thing that these tax cuts are coming in. It gives the corporations the opportunity, rather than send their money here, to keep more of it and invest it in plant and machinery and thereby create more jobs in Ontario.

**Mr Phillips:** Actually, that doesn't work. If they invest more money, their profits are lower. So I don't think the finance minister completely understands the policy.

My point is this: when I look at our major competitors and I look at Pennsylvania, they say, "Why you should come to Pennsylvania is because of the quality of our workforce, because of the quality of our education system." That's what Governor Ridge says. So my point is this: we in the Liberal Party understand the need for and support competitive taxes. The issue is why have you determined that we have to compete on the basis of corporate taxes which are 25% lower than our competitors? That is money that we will not be able to invest in what Governor Ridge is doing—investing in education. So could you just give the people of Ontario the rationale for why we have to have corporate taxes 25% lower than the US?

**Hon Mr Flaherty:** I don't expect the member opposite to understand that tax reductions create jobs in Ontario. They didn't understand it in 1995, they didn't understand it in 1999 and they still don't understand it; but I don't expect them to understand it.

What we know is that we've created hundreds of thousands of new jobs in the province of Ontario, and it's not just tax reductions. Of course, it's the quality of our workforce; the incredible investments in training, led by the Minister of Training, Colleges and Universities; the incredible investment in our community colleges, in our post-secondary institutions, in our universities; the crea-

tion of more job training programs through the Ministry of Education and the Ministry of Training, Colleges and Universities. All of that attracts business to Ontario. We don't have to subsidize business with grants in Ontario; they want to come here because of the quality of our workforce and because of our low taxes.

### ELECTRONIC MONITORING

**Mrs Julia Munro (York North):** My question today is for the Minister of Correctional Services. Minister, as part of our government's ongoing commitment to make communities safer, the Mike Harris government announced in the budget earlier this year that \$2 million has been allocated to your ministry for expansion of surveillance of offenders who are serving their sentence in the community. As everyone knows, now more than ever community safety is a top priority. Can you tell us if this is still an initiative that your ministry will be pursuing during this fall session?

**Hon Rob Sampson (Minister of Correctional Services):** I want to thank the member for York North for her question about electronic monitoring and the commitment of this government to provide the latest and greatest of technology tools to those who are helping us police and monitor those who are serving their sentences in communities throughout Ontario.

We need to make sure that we have the right tools in the hands of probation and parole officers to help them do the job. We need to make sure we have the right tools in the hands of those who run the correctional institutions to make sure that those who are on intermittent releases or day releases are properly supervised while they're serving those times in the community. Other jurisdictions across North America are using those tools and, with the help of that particular budget initiative, we indeed intend to apply those tools throughout the system here in Ontario.

**Mrs Munro:** I would like to thank the minister for his response. It is reassuring to know that our government is still keeping our mandate of protecting public safety as a top priority.

Minister, you have mentioned before that you will be seeking private partners to help you expand on this public safety initiative. Is this still the path you plan on following to deliver this program, and how will you decide what private partner is up to the job?

**Hon Mr Sampson:** There are a number of things on which we need to move ahead. The member for North York is quite correct; we should indeed and we will indeed be moving very shortly with a request for a proposal to engage the private sector, those who are providing us with that technology, to make sure that we have those tools to put in the hands of those who are supervising those who are serving community sentences.

I say to the members opposite who are chuckling about this that this is a very serious matter and we need to make sure that we find the right tools. So with the help of the Ontario Crime Control Commission, I say to the

member, we will be hosting a trade show next week that will demonstrate to the people of Ontario and others in communities across the province who are interested—like police services etc—what tools are available. We need to find out what those tools are, and then we will move ahead with a request for a proposal to get the private sector to help us implement that program.

### AUDIOLOGY SERVICES

**Ms Shelley Martel (Nickel Belt):** I have a question for the Minister of Health regarding his decision to delist audiology services. Minister, among the many casualties of your decision are high-risk infants in the neo-natal intensive care unit at the Sudbury Regional Hospital. For the last 10 years the hospital has made space available on-site to an audiologist so that high-risk infants referred from the neonatal unit can get a hearing evaluation. As a result of the delisting, the program has ended at the hospital, and we have some 50 high-risk infants who have not been tested as a result. An added problem is that your infant hearing program is not up and running in our district, so they can't be tested there either.

Dr Karen Dockrill, a neonatologist, has written to your ministry about this. She told us yesterday that most of the parents of the infants involved cannot afford to pay for testing, so their children are going without and will not be identified with a hearing deficit.

Minister, in light of this very serious situation at our intensive care unit, will you now reverse your decision on the delisting of audiology services?

**Hon Tony Clement (Minister of Health and Long-Term Care):** In answer to the question, I can assure the honourable members in this House that we still have hearing tests that are being made available through qualified physicians—ear, nose and throat doctors—throughout the province, which are paid for by OHIP, so that is still the case. Our government has an ongoing commitment, I can tell this House, to ensuring that patients receive the highest quality and the most appropriate level of care. Certainly that is still our approach. So if the honourable member has a specific instance that seems to be at variance with that aspiration, I'd certainly take her comments under advisement and would be happy to get further details from her.

1520

**Ms Martel:** Minister, I've tried to raise with you a very specific incident at the Sudbury Regional Hospital that involves high-risk infants. It is not an option for many of these parents to try to get a referral from their family doctor, because I suspect most of them don't have a family doctor, which is an ongoing, serious problem in my community as well.

We have had a very successful program at our regional hospital where an audiologist came to the site and did a hearing evaluation for those infants who had been identified in the intensive care unit as probably having a family history of congenital deafness and needing an evaluation.

Because of your delisting of these services, this program has ended, and we now have 50 infants who may well have a hearing problem who cannot be tested and whose parents cannot afford to have them tested.

I ask you again, Minister, in light of this serious situation impacting infants in the neonatal unit at the Sudbury Regional Hospital, will you reverse your crazy decision to delist audiology services?

**Hon Mr Clement:** The honourable member is taking some liberties with the conclusion that she's drawing. There are audiology services that are still listed by OHIP; they are accessible through specialists and physicians. There are audiology services, I might add, that are available through hospitals. So quite frankly I'm not sure what the honourable member is talking about, but if she can give me some more details, I'd be happy to look into it.

### BUSINESS OF THE HOUSE

**Hon Janet Ecker (Minister of Education, Government House Leader):** Pursuant to standing order 55, I have a statement of business of the House for next week.

Monday afternoon, we will begin debate on Bill 65. Monday evening, we will continue debate of Bill 86, just to be clear here.

Tuesday afternoon, we will continue debate on Bill 65. Tuesday evening, we will continue debate on Bill 87.

Wednesday afternoon, we will begin debate on Bill 101. Wednesday evening, we will continue debate on Bill 65.

Thursday morning during private members' business, we will discuss ballot item 21, standing in the name of Mrs Pupatello, and ballot item 22, standing in the name of Mr Dunlop. Thursday afternoon, we will continue debate on Bill 101.

### PETITIONS

#### SAFE STREETS LEGISLATION

**Mr Dwight Duncan (Windsor-St Clair):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the provincial government has limited the legitimate freedom of the citizens of Ontario by passing Bill 8, the Safe Streets Act, 1999;

"Whereas the provincial government has taken no responsibility for people in need by removing important funding to the social assistance program;

"Whereas the provincial government is effectively making it a crime to be poor by passing Bill 8, the Safe Streets Act, 1999;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that Bill 8, the Safe Streets Act, 1999, be repealed and that all funding to social services be restored, and we are also asking the Ontario government

refrain from passing such discriminatory bylaws. If the Ontario government is not prepared to act on these issues, we demand that the government resign."

#### PROVINCE OF ONTARIO SAVINGS OFFICE

**Mr David Christopherson (Hamilton West):** I have a petition to the Legislative Assembly of Ontario that reads as follows:

"Whereas the Province of Ontario Savings Office was created in 1922 by united farmers and labour as a unique banking facility that allowed Ontarians to invest in their province; and

"Whereas the Province of Ontario Savings Office enjoys a strong popularity among Ontario residents, with over 100,000 accounts and over \$2.8 billion on deposit; and

"Whereas the Province of Ontario Savings Office offers customers attractive interest rates, generous chequing privileges and personalized efficient service, and every dollar deposited is guaranteed by the province of Ontario; and

"Whereas POSO has 23 branches serving 17 communities across Ontario, including Hamilton, Windsor, Ottawa and small communities in northern Ontario not served by other banks or trust companies. Places like Pickle Lake, Armstrong, Killarney, Gogama and Virginiatown; and

"Whereas the Harris government announced in its latest budget that it will put the Province of Ontario Savings Office on the auction block, even though it is a consistent revenue generator, and even though this revenue could help Ontario's crumbling infrastructure after years of Tory neglect;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To save the people's bank, the Province of Ontario Savings Office, so that it can continue its historic role of providing excellent banking services to families in communities across Ontario; so that people in small towns will not be forced to go further afield for banking services and forced to go to private, for-profit banks."

I'm proud to add my name to the list of petitioners here today.

#### PROTECTION OF MINORS

**Mr Bob Wood (London West):** I have a petition signed by 1,056 people.

"Whereas children are being exposed to sexually explicit materials in many commercial establishments;

"Whereas many municipalities do not have bylaws in place to protect minors and those that do vary from place to place and have failed to protect minors from unwanted exposure to sexually explicit materials;

"Whereas uniform standards are needed in Ontario that would make it illegal to sell, rent, loan or display sexually explicit materials to minors;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass Bill 95, Protection of Minors from Sexually Explicit Goods and Services Act, 2000, as soon as possible."

#### HEALTH CARE FUNDING

**Mr James J. Bradley (St Catharines):** The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas cancer patients in Ontario requiring radiation treatment face unacceptable delays and are often forced to travel to the United States to receive medical attention;

"Whereas many prescription drugs which would help patients with a variety of medical conditions such as macular degeneration, multiple sclerosis, arthritis, diabetes and heart failure are not covered by OHIP;

"Whereas many residents of St Catharines and other communities in Ontario are unable to find a family doctor as a result of the growing doctor shortage we have experienced during the tenure of the Harris government;

"Whereas many assistive devices that could aid patients in Ontario are not eligible for funding from the Ontario Ministry of Health;

"Whereas community care access centres have inadequate funding to carry out their responsibilities for long-term and home care;

"Whereas the Harris government has now spent over \$235 million on blatantly partisan government advertising in the form of glossy brochures, and television and radio ads;

"We, the undersigned, call upon the Conservative government of Mike Harris to immediately end their abuse of public office and terminate any further expenditure on political advertising and instead to invest this money in health care in the province of Ontario."

I affix my signature. I'm in complete agreement with the sentiments of this petition.

#### HEALTH CARE SERVICES

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the Harris government's decision to delist hearing evaluation and re-evaluation from OHIP coverage will lead to untreated hearing loss; and

"Whereas these restrictions will cut off access to diagnostic hearing tests, especially in geographic regions of the province already experiencing difficulties due to shortages of specialty physicians; and

"Whereas OHIP will no longer cover the cost of miscellaneous therapeutic procedures, including physical therapy and therapeutic exercise; and

"Whereas services no longer covered by OHIP may include thermal therapy, ultrasound therapy, hydrotherapy, massage therapy, electrotherapy, and biofeedback; and

"Whereas one of the few publicly covered alternatives includes hospital outpatient clinics where waiting lists for such services are up to six months long; and

"Whereas delisting these services will have a detrimental effect on the health of all Ontarians, especially seniors, children, hearing-impaired people and industrial workers; and

"Whereas the government has already delisted \$100 million worth of OHIP services,

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately restore OHIP coverage for these delisted services."

This is signed by 68 constituents in my riding, and I agree with the petitioners.

#### LORD'S PRAYER

**Mr John O'Toole (Durham):** I'm pleased to read this on behalf of my constituents of Durham, and more specifically Harmony United Church, who sent me a petition.

"To the Legislative Assembly of Ontario:

"Whereas the Lord's Prayer, also called Our Father, has been used to open the proceedings of municipal chambers and the Ontario Legislative Assembly since the beginning of Upper Canada in the 18th century; and

"Whereas such use of the Lord's Prayer is part of Ontario's long-standing heritage and tradition that continues to play a significant role in the contemporary Ontario life;

"Whereas the Lord's Prayer is a most meaningful expression of the religious convictions of many Ontario citizens;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario maintain the use of the Lord's Prayer in its proceedings, in accordance with its long-standing established custom, and do all in its power to maintain use of this prayer in municipal chambers in Ontario."

I'm pleased to support and sign my name on this petition.

1530

#### ONTARIO DISABILITY SUPPORT PROGRAM

**Mr Pat Hoy (Chatham-Kent Essex):** "To the Legislative Assembly of Ontario:

"Whereas the recipients of benefits under the Ontario Disability Act have not received a cost-of-living increase since a \$2.50 increase in 1987; and

"Whereas the cost of living in Ontario has increased in every one of the years since, especially for basic needs such as housing, food, utilities, transportation, clothing and household goods; and

"Whereas disabled Ontarians are recognized under the Ontario Disability Support Program Act, 1997, and as such have the right to have their basic needs met,

including adequate housing, a proper and healthy diet, a bed that does not make them sicker and clothing that fits and is free of stains and holes; and

"Whereas their basic needs are no longer being met because the Ministry of Social Services has not increased the shelter and basic needs allowance of disabled Ontarians eligible to receive benefits under the Ontario disability support program to reflect the increased costs of shelter and basic needs (and in fact have reduced these benefits for those recipients who receive a disability benefit under the Canada pension plan); and

"Whereas a new Ontarians with Disabilities Act has yet to be introduced to help protect the thousands of vulnerable people in Ontario who are dependent on others for their basic needs and care and who are eligible for benefits under the Ontario Disability Support Program Act, 1997;

"Therefore we, the undersigned citizens of Ontario, request the Ontario Legislature to urge the government to respect their own definition of basic needs and provide a cost-of-living increase to recipients of benefits through the Ontario Disability Support Program Act that is sufficient to cover the increased costs of their basic needs as of 2001 prices, and that this benefit not be reduced as a result of increases in the Canada pension plan benefit."

#### PERSONAL NEEDS ALLOWANCE

**Mr David Christopherson (Hamilton West):** Very much consistent with the previous member's petition, I have one from the Hamilton Second Level Lodging Home Tenants' Committee.

"To the Legislative Assembly of Ontario:

"Whereas individuals who are tenants and residents in facilities such as care homes, nursing homes or domiciliary hostels under certain acts are provided with a personal needs allowance to meet incidental costs other than those provided by the facility; and

"Whereas the personal needs allowance has been fixed by the Ontario government at a rate of \$112 for nearly a decade and has not kept pace with cost-of-living increases, and furthermore is inadequate to meet incidental costs such as clothing, hygiene products and other essentials;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to immediately review and amend provincial legislation to increase the personal needs allowance from \$112 a month to \$160 a month for individuals living in care homes, nursing homes or other domiciliary hostels."

On behalf of Hamilton residents and others across Ontario who are in these facilities, I add my name to this petition.

#### PROTECTION DES MINEURS

**M. Bob Wood (London-Ouest):** I have a petition signed by 220 people.

« Étant donné que des enfants sont exposés à des biens et services sexuellement explicites dans un grand nombre d'établissements commerciaux ;

« Étant donné qu'un grand nombre de municipalités n'ont aucun arrêté municipal visant à protéger les mineurs contre les biens et services sexuellement explicites, et que, pour les municipalités ayant de tels arrêtés municipaux, on n'y trouve aucune uniformité, et que ces municipalités n'ont pas réussi à protéger les mineurs contre les biens et services sexuellement explicites ;

« Étant donné que l'Ontario devrait avoir une seule loi au niveau provincial visant à protéger les mineurs contre les biens et services sexuellement explicites,

« Nous, les soussignés, demandons à l'Assemblée législative de l'Ontario d'adopter le projet de loi 95 visant à protéger les mineurs contre les biens et services sexuellement explicites dans le plus bref délai. »

#### AUDIOLOGY SERVICES

**Mr Steve Peters (Elgin-Middlesex-London):** A petition to the Legislative Assembly of Ontario.

"Listen"—Mike Harris—"our hearing is important.

"Whereas services delisted by the Harris government now exceed \$100 million in total; and

"Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions; and

"Whereas the new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario; and

"Whereas this new Harris government policy is virtually impossible to implement in underserved areas across Ontario; and

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to permanently fund audiologists directly for the provision of audiology services."

I am in full agreement with this petition from my constituents of West Lorne and Dutton and I'll affix my signature hereto.

#### PROTECTION OF MINORS

**Mr Bob Wood (London West):** I have a petition signed by 896 people of about 23,000 who so far have signed.

"Whereas children are being exposed to sexually explicit materials in many commercial establishments;

"Whereas many municipalities do not have bylaws in place to protect minors and those that do vary from place to place and have failed to protect minors from unwanted exposure to sexually explicit materials;

"Whereas uniform standards are needed in Ontario that would make it illegal to sell, rent, loan or display sexually explicit materials to minors;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass Bill 95, Protection of Minors from Sexually Explicit Goods and Services Act, 2000, as soon as possible."

#### ONTARIO DISABILITY SUPPORT PROGRAM

**Mr Steve Peters (Elgin-Middlesex-London):** I have a petition to the Legislative Assembly of Ontario.

"Whereas Ontario disability support program recipients have not received a cost-of-living increase since 1987; and

"Whereas the cost of living in Ontario has increased in every one of the years since, especially for basic needs such as housing, food, utilities, transportation, clothing and household goods; and

"Whereas Ontarians with disabilities are recognized under the Ontario Disability Support Program Act, and as such have the right to have their basic needs met, including adequate housing and a proper and healthy diet; and

"Whereas their basic needs are no longer being met because the Mike Harris government has not increased the shelter and basic needs allowances for the nearly 190,000 Ontarians on ODSP, and because cost-of-living increases in CPP benefits are clawed back; and

"Whereas a new Ontarians with Disabilities Act that would otherwise protect thousands of vulnerable people in Ontario who rely on ODSP has not been introduced;

"Therefore, we, the undersigned citizens of Ontario, petition the Legislative Assembly of Ontario to provide a cost-of-living increase of 2% per year retroactive to 1987, with a continued annual indexing at 2.4%, to give ODSP clients the dignity of a living benefit."

I will affix my signature hereto.

#### PROTECTION OF MINORS

**Mr Bob Wood (London West):** I have a petition signed by 1,008 people.

"Whereas children are being exposed to sexually explicit materials in many commercial establishments;

"Whereas many municipalities do not have bylaws in place to protect minors and those that do vary from place to place and have failed to protect minors from unwanted exposure to sexually explicit materials;

"Whereas uniform standards are needed in Ontario that would make it illegal to sell, rent, loan or display sexually explicit materials to minors;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass Bill 95, Protection of Minors from Sexually Explicit Goods and Services Act, 2000, as soon as possible."

#### ORDERS OF THE DAY

##### FOOD SAFETY AND QUALITY ACT, 2001

##### LOI DE 2001 SUR LA QUALITÉ ET LA SALUBRITÉ DES ALIMENTS

Hon Mr Coburn moved second reading of the following bill:

Bill 87, An Act to regulate food quality and safety and to make complementary amendments and repeals to other Acts / Projet de loi 87, Loi visant à réglementer la qualité et la salubrité des aliments, à apporter des modifications complémentaires à d'autres lois et à en abroger d'autres.

**Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs):** Mr Speaker, I will be sharing my time with the member for Northumberland, Mr Galt.

Today I am bringing forward for second reading Bill 87, the proposed Food Safety and Quality Act.

I would first like to thank the Minister of Health and Long-Term Care and the Minister of Natural Resources for their continued support during the development of this bill, and the continual improvement of Ontario's food safety system, a system that is science-based, modern and competitive for the agri-food industry.

I'd like to say that Ontario's food is indeed safe. Our current food inspection systems have served the interests of the people of Ontario extremely well. However, the system that was originally developed several decades ago has not kept pace with the sometimes rapidly changing developments in the area of food safety and quality. Our consumption habits are evolving and changing, our food distribution patterns and trade requirements are changing, and new and more persistent types of food-borne bacteria have been identified. Therefore we must continually and proactively improve our food systems with regard to safety and quality to address the risks that come with such changes. This proposed legislation would provide the very backbone for a science- and risk-based food safety system.

1540

Ontario's food safety system underwent a full review in 1999. The overall goal of this review was to ensure that Ontario maintains its safe and high-quality food supply, now and on into the future. Updating and consolidating the provincial legislative framework is a key component of this initiative. Currently, food inspections are under the jurisdiction of three ministries and seven provincial statutes. While the Ministry of Health and Long-Term Care's Health Protection and Promotion Act has been updated in recent years, the six food-related statutes under the Ministry of Agriculture, Food and Rural Affairs and the Ministry of Natural Resources have not. This means that those food-related statutes are not as effective and efficient as they could be. We need to modernize them to take advantage of current levels of scientific knowledge, national standards, and industry initiatives.

Since Bill 87 received first reading in June of this year, we have been travelling across the province to share the details of this proposed legislation. The message from our stakeholders is clear: modern, consolidated food safety legislation would be good for consumers, good for business, and good for Ontario.

Our province already has the enviable reputation for food safety with some of the highest standards in the world. But we can do better, and we must, not only to protect the public, but to ensure that the agri-food businesses remain competitive. The agri-food industry is worth an incredible \$28 billion to the Ontario economy, and we need to ensure that it is well equipped to meet the demands of the future. Bill 87 will help us achieve that.

Just after I introduced Bill 87, I travelled to Whitehorse in the Yukon Territory for a meeting with Canada's federal and provincial and territorial ministers of agriculture. During that three-day meeting, we all agreed in principle on a national action plan to make Canada a world leader in food safety. I was proud to be able to say that Ontario had already taken steps to ensure this in our province. In Whitehorse, my colleagues and I agreed on a collective vision for the Canadian agri-food industry. It must be strong, modern and ensure access to international markets. Consumers must have complete confidence in the safety and quality of our food products. Again, I was able to say that Ontario is leading the way with Bill 87.

The regulations that would be developed under Bill 87 would put our food safety system on a firm, science-based foundation. What this means is that we would take advantage of new science and technology that is available. We could ensure that the standards for the quality and the safety of food products in Ontario are not arbitrary but are based on science that has shown what are the higher risks to the safety of our food. Because Bill 87 is enabling legislation, as new sciences and technologies are developed, we would be able to take advantage of them quickly and easily, ensuring that Ontario remains at the forefront of food safety and quality with modern, effective legislation governing the agri-food industry.

Consumers have a right to know that the food products they purchase are safe. They want to know that every possible step has been taken along the entire food continuum to ensure this safety. Everyone has a role and a responsibility—the consumer, the retailer, the processor, the producer—to ensure the safety and quality of food products. It is indeed a critical issue for everyone. Most of all, this government has a leadership role to ensure that all of this is in place, and we are taking that role. The agri-food industry in Ontario has been working hard at this for years now, and it is partly thanks to their diligence that we have such an enviable reputation for food safety and quality. Bill 87 would allow all of us to play our roles more effectively.

The broad scope of this proposed legislation would increase the confidence in Ontario's food products, not only for provincial consumers but for national and international customers as well; existing markets and perhaps new ones. They all expect and deserve nothing less than

the highest level of safety and quality. Bill 87 would help ensure that Ontario's agri-food industry delivers.

Many competing jurisdictions, including the United Kingdom, Belgium, Australia and the United States, have already adopted science-based approaches to food safety that are founded on risk analysis. Here in Canada federal, provincial and territorial governments have finalized a common legislative base to guide us in the establishment of modern food legislation. Its scope is from field to fork and it provides for the use and the regulation of modern process control systems and on-farm food safety programs. This bill, Bill 87, is consistent with these very principles.

In addition to the common legislative base, national standards are being developed to ensure consistency across the country. This is good for business. It is a big first step in reducing inter-provincial barriers to trade and signals to our trading partners that Canada has one food safety, quality and trade standard for Canadians, whether for food produced or imported into Canada. As well, it is an important trade issue as the national treatment provisions in trading agreements, to which Canada belongs, won't allow us to treat imports differently from similar domestic products. Differences can result in trade challenges which, if successful, can lead to retaliatory measures affecting other sectors if the dispute is not resolved.

Bill 87 would help Ontario move forward to meet, and perhaps even voluntarily exceed, the national standards in development. So modern, comprehensive food safety and quality legislation is essential for Ontario, not only to ensure the safety of the people but also to ensure the economic vitality of the agri-food industry. This is the framework that Bill 87 provides.

The scope of the foods covered by Bill 87 is defined broadly and would be complemented by more specific regulations. It includes food, plants, animals and fish intended for use as food, and covers all of those items currently regulated under the six food-related statutes that would be consolidated. The only exceptions to the bill are alcohol and cow milk.

Of course, some may notice that cow milk is indeed excluded from Bill 87. After all, milk is milk, whether it is from a cow or from a goat. The consumer is not concerned with which regulations cover their milk, as long as they know it is being regulated and that the product they consume is safe.

Goat milk and its products, along with those from sheep or any other mammal except cows, will be regulated under Bill 87. There is growing demand for a niche market for milk and milk products. We feel that these relatively new industries will be well served by the modern food safety legislation of Bill 87, which would allow them to work with us in developing relevant, effective regulations to benefit their industries.

The cow milk industry currently has an effective legislative base in the existing Milk Act. This act covers not only the food safety and quality components of cow milk but also the marketing aspects. Because this is the only food-related legislation that contains all of these compon-

ents and the industry is so well-established, it was decided that cow milk would remain under the Milk Act. However, the food safety and quality components of the Milk Act will be modernized to be comparable with any regulations that would be developed under the proposed Food Safety and Quality Act.

1550

Any new legislation is only as good as its enforcement. To address this, Bill 87 contains various tools and powers for use in administering and enforcing the act and its regulations and, most importantly, to protect the public in situations where foods, or animals or plants that may be used in food, appear to present food safety risks. What constitutes a food safety risk is clearly defined in Bill 87 and only applies to designated foods. Where there are grounds to believe that a food safety risk constitutes a significant risk to public health and safety, inspectors could be authorized to trace the food safety risk. Wherever it occurred in the food chain, inspectors would have the power to issue orders to prevent, control and eliminate the risk.

Current limitations on our power to disclose information to other authorities may slow down a response to situations that present a serious food safety risk. In order to better protect the health and safety of the people of Ontario, Bill 87 requires that the minister share relevant information about a significant food safety risk with specified government authorities when it is necessary to protect public health and safety.

Bill 87 would have clout. While we were developing the proposed legislation, it was agreed that current penalties were not adequate. We heard they needed to be increased to deter potential offenders and minimize public health risks due to food safety issues. Bill 87 would raise maximum fines to \$25,000 for an individual's first offence and \$50,000 for subsequent offences. Penalties could also include a prison term. For corporations, proposed maximum fines are \$100,000 and \$200,000 for first and subsequent offences.

OMAFRA's current food safety system was established in the 1950s and 1960s. It includes legislation, standards and programs that are fixed in scope and based on the concerns and science of the particular time when they were created. Times, as we all know, have changed. Ready-to-eat foods form a greater part of our diet. We are eating foods from all over the world, and our legislation needs to change as well. For example, there are currently no specific food safety standards that address certain risks we now recognize as being associated with the production and processing of some fruits and vegetables. This has been demonstrated in recent years by outbreaks of illnesses associated with unpasteurized apple cider, sprouts and imported raspberries. Bill 87 will give us the ability to deal with food safety issues as quickly as the world changes.

Food safety is recognized as a key strategy for the marketing of Ontario food products. In addition to traditional inspection methods that have provided a high degree of protection for consumers, industry and govern-

ments, they are adopting scientific advances in practices and technology to further reduce the incidence of food-borne illness. To varying degrees, sectors in the agri-food industry are already implementing quality assurance and process control systems to provide buyers with food safety assurance and to demonstrate and document a commitment to food safety.

The demand for documented food safety practices is being pushed back along the supply chain from consumers and retailers to the farm. Many commodity sectors are already in the process of developing voluntary food safety programs for use on the farm. Industry is investing heavily in these food safety approaches, because they create opportunities for new markets. Ontario products can displace imported ones that are produced without meeting the demands for documented food safety systems. Product displacement would result in economic growth for a competitive Ontario agri-food sector.

Industry wants government recognition of their hard work, and Bill 87 provides the regulation-making authority to establish and govern such food safety programs.

Will there be costs associated with Bill 87? What is the cost if we do not move forward with Bill 87? During our stakeholder consultations we heard that producers know that costs incurred to ensure a safe food supply are part of the cost of doing business. They are also an investment in the future, as more guidelines and standards to ensure food safety become mandatory for retail and trade purposes. Compliance with food safety requirements may have economic benefits for producers, such as reduced farm inputs, increased production or expanded market access. In addition, many Ontario producers and processors have already been enhancing their businesses to increase the safety and quality of their products, because they know food safety and quality issues are critical to the long-term survival of their businesses.

Updating Ontario's food safety system is part of business as usual for OMAFRA, the Ontario Ministry of Food, Agriculture and Rural Affairs. We are constantly striving to improve the safety and quality of Ontario's agri-food products and want to ensure we use the most current methods available to us. Food safety, from field to fork, is a high priority for the Ontario government, and our concerted effort to keep Ontario's food safety system among the best in the world is evidence of that commitment.

In the end, Bill 87, a consolidated, modernized and enhanced Food Safety and Quality Act, would, together with the Ministry of Health and Long-Term Care's Health Protection and Promotion Act, form a solid foundation for the continued protection of public health in Ontario in this new century.

**The Acting Speaker (Mr Bert Johnson):** Further debate?

**Mr Doug Galt (Northumberland):** Thank you very much for the opportunity to speak this afternoon on Bill 87, the proposed Food Safety and Quality Act.

We have just heard the Honourable Brian Coburn, Minister of Agriculture, Food and Rural Affairs, intro-

duce this particular bill. I was very pleased on June 25 when this bill came forward for first reading here in the Legislature. There was no question that it was very timely that this bill be introduced at that time, and that followed extensive consultation preparing for this bill. Extensive consultation has indeed been a hallmark of our government before, during and after bills, and also when the regulations are being written.

Over the past several decades advanced technology, the diversification and aging of our population and changes in lifestyles have encouraged the introduction of new or more convenient foods and beverages. As well, products once considered seasonal are now available year-round. Ontario consumers enjoy an abundant supply of these safe, high-quality foods, either produced here, in other parts of Canada or from the furthest corners of the world.

But the growth in the variety and availability of these foods and their sources also involves a higher risk of exposure to food-borne illnesses. The risk of food-borne illnesses can be minimized by concerted efforts of all participants along the production, preparation and distribution chain to do their part for food safety.

Consumers rely on food producers, manufacturers and retailers to ensure the safety of their food. They also expect governments to exercise their authority to set food safety and marketing standards and to make sure those standards are indeed met. In Ontario, we need to keep pace with changes in scientific information, technology and industry practices, and modernize our approach to, and role in, the food safety system. Bill 87 would allow us to do just that.

**1600**

The proposed Food Safety and Quality Act would increase the effectiveness of provincial food safety systems, further safeguard public health, increase consumer confidence and improve the marketability of Ontario's agri-food products.

In the 1990s, global food trade, emerging food safety hazards and the public's changing preferences for types of foods led governments in Ontario and around the world to take a critical look at public and private sector efforts to ensure the continued safety of our food supply. On a global level, food safety systems are being modernized using a consistent approach—for example, risk and science-based—from field to fork as opposed to the century-old method of just visual inspection.

A science-based system uses a systematic assessment of identified food safety risks along the food chain and implements appropriate measures to minimize those risks rather than simply trying to spot and remove problems after they occur. "Field to fork" means absolutely everything from the farm to the consumer.

The government of Ontario supports adopting such a system, beginning with consolidation and modernizing of most existing food legislation other than the Health Protection and Promotion Act, and placing the new consolidated act under the jurisdiction of the Ontario Ministry of Agriculture, Food and Rural Affairs.

The proposed Food Safety and Quality Act would consolidate and modernize the food safety and quality components of five current food-related statutes that are under OMAFRA's jurisdiction: the Dead Animal Disposal Act, the Edible Oil Products Act, the Farm Products Grades and Sales Act, the Livestock and Live-stock Products Act and the Meat Inspection Act.

A sixth act, the Ministry of Natural Resources' Fish Inspection Act, would also be consolidated under the proposed legislation, and OMAFRA would be responsible for administration of those fish regulations under this bill. This means the food safety and quality requirements for commercially harvested Ontario fish, including fish from aquacultural operations and fish processing, could be established and administered under the same act as most other provincially regulated food products.

Bill 87 is the culmination of a great deal of work by the Ministry of Agriculture, Food and Rural Affairs. In addition to developing the proposed act, we have undertaken several initiatives in recent years to help ensure that our food is safe and, indeed, of the highest quality.

As part of the normal course of business the Ontario Ministry of Agriculture, Food and Rural Affairs recognized the need for improved water quality standards at our abattoirs. To address this, last year staff upgraded testing programs and coordinated the installation of effective water treatment systems. This has led to enhanced product safety and quality at provincially inspected abattoirs. Plants not able to source potable water are now closed until that problem is fixed.

A new computerized information system, the food safety decision support system, has been in use since late 1999. This has enabled massive amounts of data obtained from audits, laboratory testing and inspection reports to be accessible for risk management purposes. The data are used to determine licensing eligibility and inspection staffing needs in the meat and poultry industries.

In addition to Bill 87, there is one other significant Ontario Ministry of Agriculture, Food and Rural Affairs initiative linked to improving Ontario's food safety system. Bill 81, the proposed Nutrient Management Act, and Bill 87 have the common goal of improving the competitiveness and economic activity of the agricultural sector here in the province of Ontario.

The proposed Nutrient Management Act addresses the management of materials containing nutrients and other farm practices, including the management of dead stock on the farm. Bill 87 includes the off-farm disposal of dead animals. These two bills are being coordinated to ensure the appropriate management of dead stock is continued.

The proposed Food Safety and Quality Act would allow us to broaden the scope of Ontario's food safety system to cover more foods, starting at production and ensuring coverage throughout the food chain. We must take advantage of recent scientific advances to keep us competitive with the rest of the world. We need to strengthen enforcement measures to ensure the safety of all people in the province of Ontario.

Ontario has been working to improve the food safety system for some time. An internal review of Ontario's food inspection system determined that food safety risks could be further minimized by, among other measures, focusing inspections on high-risk foods and using updated scientific information to determine and address food-borne risks.

It is recommended in Bill 87 that OMAFRA assume responsibility for food inspection, not only in abattoirs but also in meat and fish processing plants that are not federally registered, to ensure a consistent and equitable risk-based approach to inspection.

Creating a single, modern and comprehensive Food Safety and Quality Act rather than updating separate statutes lays the groundwork for integrating the existing web of legislation, providing the flexibility that industry needs to remain competitive and enhancing food safety throughout the food chain. It will provide the tools to consistently and effectively manage the range of foods available in Ontario. This legislation will clearly establish the industry's primary role in ensuring the food it produces is safe and will define government's roles in standard-setting and oversight of the entire system.

The proposed legislation would also ease the incorporation of national standards now being developed to provide equivalent or common requirements for food safety right across Canada. The proposed new Food Safety and Quality Act would provide for the establishment of safety standards as well as the relevant existing provisions related to food quality, labelling, packaging and advertising.

Since all players along the food supply chain have responsibilities for the safety of food by ensuring that industry practices and facilities do not contaminate the food we eat, the proposed legislation recognizes all the players in this chain: those who grow, store, cut, cook, can, bake, transport and sell. The proposed legislation provides the powers to set standards and deal with identified food safety risks from the farm through food distribution.

1610

Third, the compliance and enforcement tools vary with each of these pieces of legislation. A single Food Safety and Quality Act would provide a common set of tools necessary for establishing, implementing and enforcing a comprehensive, efficient and effective food safety program. These major provisions, prohibitions and enforcement measures will provide the Ministry of Agriculture, Food and Rural Affairs with the ability to inspect food and premises and take the appropriate action to prevent the marketing or distribution of food products regulated under the bill.

Bill 87 provides the government with the tools necessary to set standards and requirements and to effectively administer and enforce the act and its regulations with regard to food safety. The act and its regulations also establish industry's role and responsibilities with respect to food safety and quality.

If passed, regulations under the new act would be developed in consultation with all affected stakeholders

over the next few years. Full implementation of the changes to the food safety and quality system will depend on the timing of the approved regulations and the readiness of industry.

For some of the sectors, the regulations would result in little change; in other areas such as the aquaculture, horticulture and processed meat sectors, new or more specified food safety requirements may be introduced. We are committed to consulting on each commodity or sector regulation that comes under the authority of the proposed act.

In the end, our overall goal is to move in a stepwise fashion to (1) a modernized, science-based food safety system founded on the principles of risk analysis and risk management; (2) a seamless system that covers the food chain from field to fork; and (3) a market-friendly system consistent with Ontario's trade responsibilities and the industry's needs. When we have reached that goal, all of Ontario will benefit.

**The Acting Speaker:** Comments and questions?

**Mr George Smitherman (Toronto Centre-Rosedale):** We're pleased to be participating in this debate today. We must confess that here on a Thursday afternoon, on a matter of such grand importance to Ontarians, the presentation of the two members was so flat that we're really concerned that they aren't actually as inspired as their words tell us they are. We would ask further speakers on the government side to try to raise the level of the quality of debate, as I'm sure the Liberals who will present this afternoon will.

We find so often—

*Interjection.*

**Mr Smitherman:** —if I wasn't heckled by my own members, it would be better—that the government's actions do not match the quality of their words, and our very concern on this matter is that that will occur.

The minister, in his comments, did say that extra resources may be required to administer this act. We'll be watching very closely to ensure that the government puts its money where its mouth is, because like the transportation announcements that were critiqued so effectively today by our finance critic, Mr Phillips, the member from Scarborough-Agincourt, too often from this government we see the good deeds reflected in words but the actions are not there. This is a government that is known for its capacity to make communication statements and announcements but not follow through with the actual actions that will be of benefit to the people of Ontario.

This afternoon you're going to hear from Liberal members who are, on this matter, very aware of the needs of Ontarians. My colleague, our agriculture critic, is revved up and raring to go. I say to the minister, be sure to know that in the next little while, particularly as the Deputy Premier brings forward his next budget, we'll be looking to ensure that those resources you've talked about being there are in fact there to give life to what you're talking about in this piece of legislation.

**Ms Marilyn Churley (Toronto-Danforth):** I must admit I was out for a moment and watched the speakers

on TV a little bit, and wondered how big an audience they had.

Actually, this is very important legislation we're discussing today. Let's bear in mind that what we are talking about today is enabling legislation. The details will be in the regulations, and that's what we're going to have to be looking out for. It's interesting to note that, once again, the government is introducing legislation that is necessary because it's addressing something that the government created, its own mess here. If you'll recall, when you first took over as government, you said that you didn't really need these people any more. One of your first acts as government was laying off a number of inspectors who were, at the time, inspecting provincially regulated abattoirs. You said you didn't need those any more. After that, you continued on the next step and you got rid of a number of other inspection positions and contracted them out to outside organizations with nothing—unbelievably so—in place to ensure that food standards were going to be met; nothing whatsoever once those services were privatized to make sure the standards were going to be met.

This is very important legislation that we're debating today, because we know across the world now we have mad cow disease in England and other concerns about food. I note as well, and I'll get to speak to this in more detail later, that there is nothing about genetically modified foods in here. The public are very concerned about that. This would have been, and still is, the perfect opportunity to add some regulations around, at the very least, labelling of GM foods. That's a concern out there to the public, and I would request that the government take a look at that—

**The Acting Speaker:** The member's time has expired. Comments and questions?

**Mr John O'Toole (Durham):** I certainly take some exception with the member from Toronto Centre-Rosedale, who basically, I think, is typical of the apathy on the opposition side. There were only, when he was speaking, two members from the opposition here and one member from the NDP.

I would like to point out on the government side that certainly Bill 87, introduced in June and now before the House, is a very important issue. I think the minister, Mr Coburn, and his parliamentary assistant made imminently clear the important decision points on food quality.

If one was to look at the bill—rather an extensive bill—it is quite specific that it does not include milk from cows, products of that milk, liquor and other products that are regulated specifically, not in that definition. Aquaculture or agriculture commodities include commodities that are intended for use as food.

If I look at the more recent conversations on food quality at the federal level and the whole issue of GMOs, genetically modified food and other inputs into the food stream, there's an important discussion. I know in my riding of Durham, agriculture is the second largest commodity. There is a large debate on food quality, whether it's modified food or food additives that improve

and enhance the quality of food. The federal government simply failed to address the issue of food labelling. I, for one, think it's important for the consumer not to presume that improving food quality and other very scientifically proven methods that can enhance the nutritional value and food safety isn't important. I know that this minister wants agriculture to thrive as an important aspect of the Ontario economy and will do everything in his power to protect the consumer and those people who do need food to sustain their lives.

**Mr Pat Hoy (Chatham-Kent Essex):** I know that our critic for agriculture, food and rural affairs will be talking about this being a bill that is only enabling. Those are the words of the minister opposite. Others have used the word "framework" already in this debate, and we will be addressing those issues.

I want to pick up on a comment that the minister made about unpasteurized cider, I believe it was. Some time ago, I raised a question with the former Minister of Agriculture about apple growers applying for some assistance under one of the government programs that would enable them to increase their capacity and their ability to provide unpasteurized cider. The minister came back into this House on another day and said that no application had been made. I want now, at this opportunity, to put on the record that the Ministry of Agriculture, Food and Rural Affairs advised these growers not to apply, and that's why there was no application made. They were advised by the ministry that they need not apply and that they would not qualify.

1620

This will be a concern we have about the government's initiative, to ensure that producers and processors have the ability to comply with whatever regulations will come flowing from this bill. I would take this opportunity to respond to the former minister that it was his ministry that suggested that these people need not apply, and that's why, when he went back to his office, he could not find an application for it. We raised that question at that time in order to assist producers to ensure that access was free and available under government programs for the need that the government itself described as existing.

I appreciate the opportunity to put on the record and correct somewhat what the former minister had stated in the House.

**The Acting Speaker:** The minister has two minutes to respond.

**Hon Mr Coburn:** Just to respond to a couple of points, when it comes to genetically modified foods, that's a responsibility of the federal government. We have been working closely with them, as have a lot of stakeholders in agriculture and agribusiness, in dealing with that issue. So that is very relevant today. The federal government is coming forward and there has been a lot of discussion with respect to genetically modified foods.

One of the things that we do support here in Ontario is science-based technology and not ad hocery. That's what we're trying to do with this piece of legislation. Things change so much in our society today. Consumer demands

are expanding rapidly in terms of what they would like to see in the grocery store when they go shopping, what they would like to see at the dinner table. The food processors have been meeting that demand. That calls for increased capability in terms of surveillance and checking for different types of bacteria and those kinds of things.

That also means we take advantage of some of the new technology that has developed. This is enabling legislation, very much enabling legislation, so that we can meet some of those changes in the future. You don't know what's coming around the corner in terms of food production, especially with the scientific advancements that we're making today and the different products that are being produced. It won't be slow and cumbersome like it has been in the past. Governments have a reputation for being slow and cumbersome. They're not quick to be adaptable to changes in the marketplace.

This is food safety. It's there for the protection of the consumer. After extensive consultation with our stakeholders, they recognize that this piece of legislation is needed and it needs to be something that's very sensitive to the needs in a changing marketplace.

I very much support this legislation.

**The Acting Speaker:** Further debate? The leadoff for the official opposition.

**Mr Steve Peters (Elgin-Middlesex-London):** I'll be sharing my time today with the member for Chatham-Kent Essex, the member for Renfrew-Nipissing-Pembroke, and the member for St Catharines.

I think it's of extreme importance to get on the record right at the beginning that the Liberals will not be supporting this legislation. The Liberals are extremely concerned that, as the member for Northumberland pointed out, the tools are going to be there. We haven't seen those tools. What we have in front of us today is an omnibus piece of legislation, an empty shell piece of legislation, enabling legislation, but the regulations aren't there. The tools that are going to be used for this legislation aren't there.

This piece of legislation has the potential for a monumental effect on the agricultural industry in this province, the number two industry in this province. What we're seeing more and more and what's evident again in this piece of legislation that we have in front of us today is that this is a government that governs by regulations. We do not see the details in the legislation. This government insists that the details are in the regulations. The regulations, though, aren't in front of us, and we don't have the opportunity to make comment on that.

Let's look at one of the proposed changes in this legislation that's in front of us today. One of those deals with the repeal of the Edible Oil Products Act. I would ask the minister, has the public been informed and the agricultural community been informed of the true ramifications, of what the repeal of the edible oils act means? Not long ago, government spent a great deal of money in defence of the edible oils act. We spent hundreds and thousands of dollars in court battles over coloured

margarine. Now that's all been thrown out the window with this legislation.

What this government is doing here is leading to the point where they're pitting one agricultural commodity against another: the soybean growers versus the dairy farmers of this province. I think that's an extremely sad day.

What does this mean for the Edible Oil Products Act? Does this mean that blending is now going to be allowable in this province? How is this government going to be able to assure consumers that when they go into a grocery store and look in the dairy case, they're going to know what they're seeing in that dairy case? Is the consumer going to know when they go into the grocery store that it is truly butter and cheese or is it now going to be "I can't believe it's butter and spray cheese"? Is that what this government wants—spray cheese for all? I certainly hope not.

The biggest concern with this legislation that we have in front of us today, though, is the question of resources. The resources just aren't there. This is a government that campaigned with the Common Sense Revolution in 1994 on no cuts to agriculture. What did they do within the first month of office in July 1995? They removed \$14 million from the budget of agriculture in this province. What kind of commitment is that? How can we be assured? We hear that the tools are going to be there, but the problem is those tools aren't coming with something in the back pocket—the resources that are going to be needed.

We've seen this government again proclaim, "No cuts to agriculture." We've seen the food inspection budget. You talk about food safety and ensuring the confidence of consumers in this province. We've seen the food inspection budget cut by 45% by this government. Food inspectors, the very individuals we're relying on to ensure consumer safety, to ensure that food is safe in this province, have been cut by this government by 38%.

The member from Northumberland made reference to how we are dealing with two massive pieces of legislation that are going to have real ramifications on the agricultural community in this province. We're dealing with Bill 85, the Nutrient Management Act and, again, we're dealing with what's in front of us today, Bill 87, the Food Safety and Quality Act.

I'd like to know if the Minister of Agriculture has consulted with the Minister of Finance. Has he consulted with the centre to find out if he's going to have those dollars in his back pocket, those very resources that are going to be needed to implement these two massive pieces of legislation? Has that commitment been made by the centre? Has that commitment been made by the Minister of Finance to provide those resources? I doubt that commitment has been made, because what we're hearing is that this Ministry of Agriculture has been told to toe the line, that there is no new money available.

They talked about ensuring the viability of the industry. How are you going to ensure the viability of an industry when you're continually downloading new costs

to them? We're already seeing what the ramifications are going to be of the costs of implementation of Bill 81, the Nutrient Management Act, and of no commitment for any capital improvements or resources that are going to be required.

With this piece of legislation here, we're again seeing massive changes to the legislation and no commitment. You know what? It does mean more downloading. We've seen how quickly the government can react when they see the ramifications of their downloading exercises, in the foolish move to download transportation to the municipalities in this province. They finally recognized that that was a foolish move and those costs are having to be uploaded again.

That's what concerns me with this legislation that's in front of us. This is downloading. It is disgraceful to further download services on to the backs of an agricultural community, an agricultural community that is dealing with low commodity prices, unprecedented subsidies being offered by the Americans and the EU and with weather conditions, which I recognize are beyond our control. This is an industry that is already being hard hit and this is an industry right now that this Ministry of Agriculture seems prepared to go and hit again. I think that's a truly irresponsible thing for a government to do, to continue to smash away at an industry.

1630

We're going to be seeing that the costs for inspection of a lot of these services—because, again, we haven't seen that those resources are being put in place—are going to be placed on the backs of the farmers and the producers in this province. I agree wholeheartedly that consumer confidence and food safety must be a priority, but we haven't heard anything from this government. We've heard lots of initiatives in the last few days about all the things they are doing in light of the tragic events of September 11, but we have not heard any initiative that is going to work toward ensuring consumer confidence and ensuring the security of the food of this province.

It's going to be extremely difficult to deal with the question of consumer confidence when the dollars just aren't there. A recent survey by the Globe and Mail revealed that 68% of our population is extremely concerned about the food they eat. That population as well, though, expects that the government is going to be there to ensure that food safety is there and not download it, through the inspection in this legislation, to others. I think that's wrong.

They've got a government in the United States that, in dealing with the question of food safety, is putting their money where their mouth is. We're not seeing any money. We're hearing lots of mouth from this government with these changes that are coming forward, but we're not seeing them put their money where their mouth is. The United States is stepping up its effort to keep animal diseases out. They are putting the money in. They know that they do not want to see any foreign diseases come into their country, and they are stepping forward

with money and investing in research and development, investing in technology. The minister talks about investing in technology, but that's not there. But in these initiatives that the United States are doing, they are looking specifically at the poultry and livestock industries to ensure consumer confidence, and they are recognizing that early detection remains the key to minimizing the impact of disease introduction. In the United States, they invest. The Tories cut. The Tories download. The Tories do not invest.

#### *Interjection.*

**Mr Peters:** I want, then, to go into one area in particular that is going to play a crucial role in the issue of dealing with this legislation. And I don't mind heckling; I would just appreciate it if the honourable member would heckle from his seat, but he chooses not to. He's walking out with his tail between his legs. Bye.

The area that is going to play the most important role in the delivery of these changes that are coming is the animal health lab at the University of Guelph. The animal health lab is key to the infrastructure, to ensuring the public health and food safety in this province, and we can't afford to underfund it. The animal health lab has excellent staff and they play an important role in the services, but they operate under very trying circumstances. The labs are small and overcrowded. Many important pieces of equipment—the very technology the minister speaks of that is going to be there to deliver these new services—are old and out of date and need to be replaced. They are buying second-hand equipment at the animal health lab. I don't think that's appropriate to ensure consumer confidence in the safety of our food in this province.

The animal health lab doesn't have level 3 testing, so many of the things that we are going to require to be tested out of these legislative changes, they don't have the ability to do. We're having to send these tests to other provinces or to other countries. A scary thought—and again the minister and his staff talk about thinking ahead and looking ahead at new and emerging technologies, but we're not investing in the animal health lab to ensure there is sufficient money available for testing.

I just want to go on to say that it was very interesting. After I raised the issue of the animal health lab, we had a backbench question issued in the Legislature, and the appearance was made that everything is hunky-dory. But things aren't hunky-dory at this very important animal health lab that is going to help us with this legislation. Dr Carl Ribble says that there are significant pressures on the veterinary diagnostic labs, and there's a feeling by the government that farmers should pay for a public health issue. I think that's extremely wrong. I think there's an obligation on the government to ensure public health and safety. The ability to perform passive surveillance is eroding. We're going to get into big trouble pretty soon here. You cannot continue to put pressure on these labs. How are you going to enforce new legislation when you're not investing in the very lab that's there to do it?

You talk about looking ahead, Minister, and thinking ahead with this legislation, but the problem with the

animal health lab, as Dr Patricia Shewan, the chair of pathobiology, pointed out, is that the lab has very little latitude to do anything proactive. They don't have the personnel or resources to anticipate things and they're being forced to be more and more reactive.

They've got inadequate resources to respond to emerging threats in the agricultural community. We've got legislation here in front of us, but we don't have the ability, with the animal health lab, to respond to emerging threats. There's a constant threat, as Dr Shewan pointed out, to passive surveillance, which in turn jeopardizes the herd in this province. We have to be able to look for things that don't fit a pattern; for example, parasites and bacteria. They must have regular submissions to keep up surveillance. But the problem is—and we're going to see in this legislation—that farmers are going to be made responsible for paying the costs of tests at these labs, and farmers aren't going to do that. There's an obligation on the government to provide the finances to continue to support the animal health lab. As Dr Shewan pointed out, OMAFRA has been underfunding the enterprise.

Dr Larry Milligan, vice-president of research at the University of Guelph: again, the University of Guelph is the main—through OMAFRA and the \$54-million agreement, it has been cut again by this government by \$3.5 million. They continue to cut the University of Guelph. The University of Guelph was expecting to deliver services to stay on top of what's happening, to stay on top of what this government wants out of this legislation.

This government isn't properly funding the University of Guelph. As a result of this, it is being forced to continually look at cuts, and that's wrong. How can you ensure food safety and how can you ensure the proper delivery of these legislative changes that you're making here when you're not funding the very organization, the University of Guelph, to provide those services; when you're going to rely on downloading and alternative delivery of some of these services? I think that's wrong.

Dr Roger Hacker, director of animal research programs: "I would not say that the animal health lab is getting strong support from OMAFRA.... We need to move where antibiotics are not routinely used as the first line of defence by the agricultural industry."

Anti-microbial resistance: the industry is not in the position to do that right now. They need superior laboratory services, and the facilities are not adequate for that. On the one hand, OMAFRA is encouraging the industry to move off antibiotics, yet the animal health lab does not have adequate turnaround and does not have adequate veterinary support and sometimes has to send things out of the province.

It's pretty obvious that the very people we have in place for these services who are going to be responsible for delivering some of this legislation are extremely concerned about what's going on out there. Let's talk about the University of Guelph. The public needs to understand about the University of Guelph and the important role this university plays in ensuring the safety of food in this

province and in the legislation that we're dealing with here today. The University of Guelph has been inflicted with \$3.5 million in cuts from this government, and right now the agreement is up for renegotiation. The five-year enhanced partnership is set to expire in March 2002. The word right now is that the government's share of support is expected to remain stagnant, and the program's scope and costs continue to grow.

1640

If we say that we want to be leaders and we want to ensure that we have the best technology available to ensure the consumer confidence in this province, flat-lining a budget or forcing an entity like the University of Guelph to continue to make cuts is not the answer.

As was pointed out by a gentlemen, Mr Ken Boyd from the university, "It's become clear to us that we need to make some changes to programs if we're going to be able to meet the budget." The program that the University of Guelph delivers is bigger than the funding that's available.

The partnership program has been cut from \$54 million to \$50.5 million, part of the government's restructuring program which obviously isn't helping—the government that said, "No cuts to agriculture." Regardless, it's still not enough to allow OMAFRA to put significant funds into anything other than maintaining infrastructure, keeping the heat and lights on, computers running and the libraries open.

How then does the ministry have any sort of clout on what types of research go on? As has been pointed out, we need to stay on top of what's happening out there. We need to continually invest, and that isn't happening at the University of Guelph right now. As members of this Legislature, we need to be concerned about that.

I think we should be concerned about this statement as well: that researchers are spending more time writing proposals and searching for funding than they actually are doing research. I think there is something drastically wrong with that.

I know the government is well-intentioned in what it's doing here, but the problem is that they haven't put the resources in place to deal with what the government wants to deliver. We need to be conscious of that fact.

Here is a case in point: researchers believe they found the first North American case of a bird virus crossing to another animal species. In October 1999, tissue samples were sent to the University of Guelph following the outbreak of this new disease. Unfortunately, because of the lack of resources that exist at the University of Guelph, the further testing had to be sent outside. It had to be sent to the United States. I think that's a serious problem.

It is too bad, because we are dealing with two massive pieces of legislation in Bill 81 and Bill 87. Unfortunately, the tools that we were hoping we would see in Bill 87 haven't been made available. But, more importantly, we do need to recognize that the financial resources haven't been put in place. We've seen a government ministry that has experienced unprecedented cuts. How can you go and

make changes and put these pieces of legislation into one act and not ensure that those financial resources are available for it? I think that's a serious mistake.

I sincerely hope that the minister and other ministers around the cabinet table, and those members on the opposite side who represent rural ridings and, quite frankly, every member in this House, step forward to ensure that they're supporting the Minister of Agriculture from a standpoint of saying, "We need to invest in agriculture." We can make all the changes we want, but we've got to ensure that those dollars are there.

I thank you for your time. As I said, I will be sharing with some of my colleagues.

**The Acting Speaker:** Further debate?

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** I am pleased to have a few moments this afternoon to join the second reading debate of Bill 87, standing in the name of my friend and neighbour the Minister of Agriculture. I think it would be only appropriate for me, in an ecumenical way this afternoon, to pay tribute to the minister but more importantly to his wonderful wife, Mary Jane, and his family, the Rivingtons, for hosting us so splendidly last week in Navan for the rural expo. I know how hard and long were the hours that went into making it such a success. I want the minister to please tell his wife how I, at least, and my guests, as one group of people she went out of her way to invite, really appreciated her hospitality and all the hard work that went into, I thought, a really first-rate rural expo.

*Interjection.*

**Mr Conway:** Well, I say that sincerely. If you've ever been associated with organizing one of these enterprises, you will know just what an enormous volunteer commitment it is over many years. I thought the good people at Navan did a very, very fine job.

Bill 87 asks the Legislature to consider the whole question of food safety and food quality. One would have to be pretty hard-hearted and pretty stupid not to endorse the basic principle that I think the bill directs our attention toward; that is, we want to have the best quality food and the highest level of public confidence about the quality of the food we put on our tables, both privately and publicly in the province of Ontario. I certainly appreciate where the ministry is coming from. But like a number of my colleagues in the Liberal opposition, there are genuine, deep-seated concerns about the ability of the Ontario government as it's currently constituted and financed, particularly in agriculture, to discharge the responsibilities it's taking on to itself in this legislation.

My friend from St Thomas has just completed a lengthy analysis of what has happened at the Ministry of Agriculture over the past number of years. In fairness, the reduction of budgets at the old departments of the Ontario government, and certainly agriculture is one of the oldest, has been going on for a long time. But there are, I think, legitimate concerns about the way the government is going to meet the responsibilities, particularly around inspection, that it is taking on to itself with Bill 87.

It's not that many months ago, in the city of Toronto and in the city of Ottawa, that people were treated to some rather hair-raising and upsetting stories in the public press about what was going on in the existing framework around restaurants. Do you remember what the mayor of Toronto said about what was going on in Toronto restaurants? It was about a year ago or thereabouts. I'm interested because I live in this city four days of most weeks and I eat out all the time. I've got to tell you, it was a rather disquieting report that I was getting. You'd say to yourself, "Well, what's happening there?"

This is a wonderful metropolitan community with a well-established municipal regulatory framework, particularly as it relates to public health, and it's not that many months ago that we were told by the Toronto print media, by and large validated by people like the mayor of Toronto, that all was not well in certain restaurants. I don't mean to disparage all of them, because most of them do a very good job. But when you're talking about food safety and public confidence around food safety, you don't need very many bad actors to create a level of disquiet.

In Ottawa there were similar reports that our ability to regulate restaurants around questions of food safety was not what we thought it was.

I have in my hand press clippings from the Ontario media just in the last 18 months that speak to issues around the province, about some issues that relate directly or indirectly to the subject matter of Bill 87. One article that comes to mind, from the Toronto Star, December 19, 2000, was about the province being in the hot seat over an illegal slaughterhouse up in the Vaughan area. So there's no question that there are legitimate concerns, and I think we all want appropriate action taken.

1650

One of the reasons I asked my colleagues to speak today was that in these matters I'm particularly concerned about the part of the province I represent, the upper Ottawa Valley. When I talk to my farmers and others in the agribusinesses of the area, they say, "Absolutely, we want the highest level of food quality we can possibly get." But they would say, "Conway, will you please tell that nice man Mr Coburn, and more importantly his officials, that if there's going to be a regulatory framework imposed, to remember that Killaloe is not Kensington, just as Navan is not North Bay."

There is a great fear that a lot of very good operators in small rural communities like the ones I represent, and ones the minister knows very well, will inadvertently be caught in ways that defeat both the public interest generally and some of the good purposes of this bill. Just the other day, I was with a couple of these operators and they said, "Can you politicians and your bureaucratic friends not find a way to get the bad actors, which we all want, without catching a lot of good people in the process?" It has been a standard complaint for decades, and longer.

I just want to make a plea on behalf of people with long-established, good operations—I see our friend from

Perth is in the chair. He will know of what I speak, because rural Perth is a lot like rural Renfrew, but different in the sense that Stratford and Kitchener and London are rather large cities close by. In my area, if you're in a place like Madawaska or Combermere or Palmer Rapids or RR1 Chalk River or RR3 Eganville, it's a considerable distance to get to a city the size of Ottawa, for example. So trying to get and keep the critical mass of operation you might require just to meet a local need can be very challenging if certain regulatory thresholds get to a point that is just impossible to manage.

It's not an easy problem, I say to my friend the minister. There is a very real concern that inadvertently, accidentally, you are going to upset some perfectly good operations in very rural parts of what I will call the old Huron-Ottawa track, that belt that sweeps from, say, Renfrew, across North Addington, North Hastings, Haliburton, over to Georgian Bay—a very interesting piece of Ontario's geography, very rural, very small-town and in most cases a considerable distance from an urban community of 25,000 or 30,000 people. That's one concern I want to articulate this afternoon, and my farmers in many of those rural communities and those agribusinesses, at least in the upper Ottawa Valley, would want me to say that on their behalf.

Second, a more general and personal complaint, I say to the minister, is that these bills—Bill 87 is the latest in a long and storied parade. What are we asked to do here? Well, we're asked to endorse a good idea. I can't imagine there's anybody who disagrees with the basic principle of improving food quality. But beyond that, we're asked to hope and pray that Her Majesty's executive council writes a lot of very specific and important regulations that are consistent with the general purpose and can and will be carried out in myriad places across the land in a way that is largely consistent with the intent of the bill.

But there are an awful lot of very important questions one might have that one cannot answer in this debate, because we have a bill that goes on for some 24 pages, en anglais et en français, and when you get to the real crunch you are comforted, I say to the Minister of Health—a constitutionalist of a strict kind—with that happy reminder of executive privilege, details as per the regulations. Talk to me six or 12 months from now when they're written.

What is one to do? You would never sign a mortgage like this. Not even as smart a lawyer as Tony Clement would let you do it, because he'd say, "The interest rate, the amortization, as per the regulations; yet to be known and yet to be written. Client, sign at your peril."

I don't mean to go on at great length about this, but I want to say, as one member of the Legislature, I like good ideas, I want to be seen to be supporting good ideas, but increasingly I am being asked to endorse a feel-good bromide. I hope and pray that the executive branch of government, and all of those smart people who work for Her Majesty in that service, is going to get all the fine print more or less correct, and we're going to have

inspectors out there in the land visiting people in RR3 Orleans, if such a place exists, or in RR4 Wilno, if such a place exists, and they're going to have the intent of this Legislature in mind as they go about their important business.

It is a very serious and, I think, legitimate complaint. We are asked here to support a lot of important things, the particulars of which we simply do not yet know, and I just want to register that complaint as I take my seat this afternoon.

**Mr Hoy:** I am pleased to rise today and give some thoughts on Bill 87. I want to first of all say that the agricultural producers of Ontario truly understand the need to protect the air, water and soil. We've known that for decades, and it is the livelihood of their businesses and it's a livelihood for their families. So too do these same producers and processors recognize the importance of food safety. They recognize that all too well. On occasion, these processors are the producers of the primary goods. So on many occasions I'm talking about the same person when I talk about producers and processors.

Our products are renowned throughout the world. People in Ontario know that our food is excellent; Canadians know that. Very importantly, our trading partners around the world have confidence in our food system. Our reputation has been long-standing, and we are known to be among the best in the world.

The processor and producer recognize that food safety is paramount to their continued success. As I said, they've known this for decades and indeed generations. After all, their names are on the bag, the box, the basket or the jar. In all of our communities, these medium- to small-size producers carry their family names and traditions that have lasted for generations.

I'm not talking about the large multinationals or the conglomerates; I'm talking about the mom-and-pop small businesses that are across rural Ontario. They've worked very hard to maintain that family name, the pride of ownership and the trust that they have earned from their clientele, which is repeated over and over again with their visits to their market. They have developed a long-time, loyal and confident consumer base.

Many of these small mom-and-pop businesses, which oftentimes have their own children working with them—their adult children work along, and it's passed on to another generation—have created a niche market that has literally grown from the ground up. They've raised a product on their farm, and they've provided wonderful processed foods, from sausages to jams to pickles, just to name a few.

They have worked hard to answer the call of government to diversify, to move forward, to add value to their product. They've strived to do that over many years and, in some cases, they've done it merely to survive.

**1700**

They've created new wealth and jobs for rural Ontario. They hire people to come in and help them during the rush season, to sell the product and to pick the fruit or

vegetables along with their family members. They have developed name recognition within their own communities that is identifiable by all, and they have also created a name for their business, their farm, their product, that is well known elsewhere.

So they know full well that food safety is paramount to the success of their business and their continued livelihood as a mom-and-pop operation. But the producer-processors have been calling me about some very real concerns in recent days. They respect and recognize the need for food safety, as they always have, but many are concerned about compliance with this bill.

We only need to look at the bill to see that the Lieutenant Governor in Council has broad powers to make regulations for the purpose of ensuring the quality and safety of food—broad powers. This is what these small operators are concerned about, the cost of compliance: these broad regulations that we do not see, that they will likely not see. The minister himself said it's enabling legislation. I believe he used the word "framework," or perhaps others have on the government side. Enabling legislation in a framework is all we're talking about here. The producers in my area of Chatham-Kent Essex are very concerned.

Let me say that if a product can be grown in Canada, it has been stated by others that it's grown in Chatham-Kent Essex. They have said that from the information they've been able to garner, compliance could cost them as much as \$100,000 to \$200,000 a year. This is something that has them very, very worried. These are small operators. They provide a niche to that market; they have an excellent market base. But they are absolutely fearful that the cost could exceed \$100,000 or \$200,000 for the inspections and what the government may bring forward to them.

As well, they are justified in this belief, because the bill says that the minister may make regulations prescribing fees. They have called me, and they are fearful. They are frightened for the continuance of their own business. Food safety inspections that have gone on to date in some of this regard have not been consistent, they are telling me, nor have the demands made upon these family businesses. They're very concerned about the lack of consistency. They talk to other producer-processors, and it seems that from one to the next the inspection is not similar, and if inspections are made and the operators has complied with the wishes of the inspector, it seems that all too often the inspector returns and says, "You need to do more" or "This is not what I stated." So then they're into another round of costs for changing to comply with what seems to be an inconsistent demand that is happening in rural Ontario to these small businesses.

They believe this is a concerted effort designed to drive them out of business. They know that the multinationals and large conglomerates may be able to weather whatever the government puts forward because of their integration. But these small producers relying on their own work and their own families are very fearful.

The excessive costs placed upon these families, these owners, these entrepreneurs, they have told me, will put them out of business. We cannot allow that to happen in rural Ontario.

The government cannot ask the producers of this province to look for niche markets to diversify, to help strengthen rural Ontario, and then not provide funds to assist these small, mom-and-pop farm businesses with the outcomes of what may come from this bill.

It just doesn't seem logical to me that the government can ask them to do all of these things and then turn around and say, "But we have no funding to assist you," because \$100,000 to \$200,000 worth of cost is not readily available for these people through the marketplace; in a lot of cases they are price takers and not price makers.

We know too, all too well, that agricultural commodity prices and the yields, particularly this year, are extremely low. Producers have been faced with drought in virtually every part of Ontario. Certainly in my area of Chatham-Kent Essex it has been very severe, some talking about yields reduced as much as 60% on corn crops, and there have been some early soybeans harvested to date and yields are less than 50% of normal.

Along with this drought and excessive heat of this summer, producers are faced with an increased number of diseases within their crops. This is also raising havoc with their businesses. As well, along with the conditions that existed in Ontario this summer, mostly driven by the drought and excessive heat, we see an infestation of insects that are also playing havoc with fruits, vegetables and other crops. So producers in Ontario are already facing a difficult challenge, and the government needs to assist those producers as much as possible, as quickly as possible, and they must provide funding for compliance under this food safety bill.

I talked about fees many, many months ago as it pertained to our small abattoirs across Ontario, and I've heard from many abattoirs that they are simply hanging on, that the constant barrage of inspections and an inconsistent message to them are causing them, very much so, a disadvantage. They are constantly trying to upgrade to what is an inconsistent message from those inspectors. As fees have increased, I also mentioned some many months ago that we might see the illegal slaughterhouse and the potential for those to exist in Ontario to increase. We need to be careful, I say to the minister and others here, how we proceed.

The large multinationals and the conglomerates—many of which the public may not even know who the parent company is; that's how large they are these days—may be able to withstand the components of the regulations that will come forward. I say "may" be able to withstand that. But certainly the producers who are running these operations on our smaller farms in Ontario have expressed to me their deep concern, their legitimate concern, their sincere concern, that they may not be able to comply. I had one producer say, "I will be out of business if I don't get some assistance." Of course, this bill, as a shell, does not provide for any assistance.

The OMAFRA food inspection budget has been cut by 45%, which leads others to wonder who will be doing this inspection down the road, and the number of food inspectors has been cut by 38%. Time after time in the area of OMAFRA we look at cuts, cuts to funding, cuts to personnel and, I say most emphatically, a cut to desire to assist our agricultural and rural communities.

I'm also concerned about the bill's words that suggest alternative delivery mechanisms, and this to me means privatization and downloading and the dumping of responsibility on to producers, with no assistance.

I believe it was incumbent upon me to bring this message to the persons in this House and, importantly, to the minister responsible for this bill, that the small mom-and-pop operations in my community of Chatham-Kent Essex have expressed to me in a most sincere way that they believe that without funding, they will simply go out of business. If the government is true to its word that they want economic growth in rural Ontario, they must provide assistance to these families now and in the future.

I thank you, Mr Speaker, for the opportunity to address this bill, Bill 87.

1710

**Mr James J. Bradley (St Catharines):** The bill is timely. My colleagues who have spoken on the bill have, I think, made some excellent points: Mr Hoy as a person who knows the agricultural community extremely well in southwestern Ontario; Mr Peters, who is the agricultural critic; and Mr Conway, who represents eastern Ontario. We've heard from various parts of Ontario and various perspectives, and we have found, first of all, that there's a general consensus that there's a need for a piece of legislation to deal with food safety. The quarrel comes with the details contained within this bill.

I too was heartened to see that certain councillors on the city of Toronto municipal council took it upon themselves to embark upon a program of inspection of restaurants. That's a step well down the line when we talk about food safety. That's food that is delivered to people who are able to go out and enjoy food in a restaurant setting or perhaps a takeout food setting. No one had to fear that inspection; no one, that is, who was appropriately looking after the food and preparing the food. Those who had to fear were those who were not taking the necessary precautions to ensure that food was safe and what the public would want it to be. So that is one area. I hope there's not a fallback on that as resources are placed somewhere else or as the emphasis is left. A lot of the credit for that must go to the Toronto Star writers who happened to do a series on food safety as it related to restaurants.

But we're taking a step back at food safety, and that is as it is found in the agricultural setting. Our farmers are among the very best in the world, of course. They take the necessary precautions within the handling of food themselves to ensure that it is safe, and they will have our food stacked up against anyone else's. There is, however, an increasing apprehension among the consumers of this province when it comes to the eating of food or the

purchasing of food. One of the reasons is that they've watched governments start to cut back on the number of inspections and inspectors.

Now, I know there's a frame of mind out there that says that government is too large, the smaller the better, that if you had no government that would be Utopia. Nevertheless, I think people, particularly, I suppose, after the tragic events of September 11 and after the tragic events of Walkerton, are understanding the importance of the public service, of a good investment in public services. I think the pendulum has swung away from the Fraser Institute approach to government, that is, that you shrink it, that you deprive it of the necessary funding and that you place everything in the private sector, and it has moved more toward a centre position, one which the previous Davis government, for instance, would have espoused, or perhaps the Rae or Peterson governments. We find now that people want those kinds of public services.

I don't like the idea of any level of government—we're dealing in this Legislature with the provincial government—fobbing off its responsibilities to the private sector for inspections. Now, the private sector should build cars and run steel companies and manufacturing concerns and certain service concerns. There's a major role in our society for the private sector, a role that the public sector should not be involved in at all. But there are areas where the public sector should be pre-eminent, where it should occupy the space, where it should provide the assurance to the people of this province, and one is in food safety.

One of the things I have to say to the Minister of Agriculture is that if we're going to have food to save, we have to retain the farmland in this province. Despite all of the announcements of his colleagues, and he was called upon to applaud the announcements today, I have watched acre after acre, or as we would say in 2001, hectare after hectare, of prime farmland that has good soils, first of all and, second, good climatic conditions, being paved over for development purposes. This should never have been allowed and it has been allowed. However, the Minister of Agriculture, more than anyone in the cabinet, has to recognize, and I know does recognize, that if you're going to save that farmland, you have to save the farmer. You have to make farming a viable business.

That's why, when Mr Hoy makes the case, as he has on behalf of the Liberal caucus, for assisting farmers to comply with the provisions of the legislation or the regulations that will follow, he makes a very good point. I am very supportive of providing that assistance to farmers because, as the Minister of Agriculture knows better than others, we in Ontario or in Canada do not pay the price for food that is paid in many parts of the world. In other words, the farmer is unable to obtain from the farming business the kind of return that makes it a viable business, in some cases, or a lucrative business most certainly. Therefore it is incumbent upon government to provide that assistance as they retain the land for agri-

cultural purposes and provide a vital service to us. Once we lose that land, once we lose those products being produced locally, we'll find the prices high and that the quality cannot be guaranteed coming in.

I think of the problems that Europe unfortunately has experienced, particularly Britain, with foot and mouth disease, with mad cow disease, and recognize that we've been fortunate so far. Although we had a foot and mouth disease outbreak a number of years ago, so far it appears we have not been impacted. However, we don't know along the line what will happen. I think we have to give credit to our farmers and a lot to good luck as well, and to governments in the past and perhaps to the present.

I fear the privatization of inspection. I think it should be done by government people who are totally independent, who have no conflict of interest and are able to provide a good service and have a good degree of expertise. I think you have to have enough of these inspectors to be able to do that.

There is a new unfortunate circumstance facing us now, and that is the threat of terrorist sabotage. We didn't even want to think about this before. If someone got up in the legislative body and talked about it, people in those days would say they were fearmongering. Today, unfortunately, we've been confronted with something we never wanted to be confronted with, and that is certain acts of terrorism and the possibility and potential for other acts of terrorism, and the potential sabotaging of our food supply, which means it's so important to have appropriate inspection and checks available.

Farmers themselves can be helped considerably if the public has confidence in the food. The more inspection there is, the more observation there is, the more intervention there is to assist farmers in this regard, the better off we will be, because consumers will at least have confidence in the food produced here in our province.

I am concerned about the regulatory framework. This is called enabling or framework legislation. What the public who watch this from time to time should understand—and this always seems to be the argument made by people in the opposition—is that when people are on the government side—and I say this generically as opposed to in a partisan sense—the opposition always wants to see it in legislation and the government wants to see it in regulations. That's why we often find that oppositions are apprehensive about embracing the provisions of a bill. That's because the regulations are the unknown. So you find that the opposition will tend to vote against legislation which is enabling unless they've had a good look at the potential regulations and have some assurance that those regulations will be in place as they are seen. But we know the regulatory process behind closed doors is largely a cabinet function and not a legislative function. So that is something I consider to be unfortunate in this bill.

We have no commitment for additional funding for food inspection. OMAFRA's food inspection budget has been cut by about 45%, the number of food inspections has been cut by 38%. Even before these new responsi-

bilities are added, I think we would say that Ontario food inspection services are overstretched at this time. Secondly, as I've mentioned, almost all important details in Bill 87 are contained in the regulations.

1720

Despite promising no cuts to agriculture—I was intrigued by that and I was hopeful of that. Even though I don't have that many farms within my riding—I have them surrounding the riding and there are some there—I wanted to see no cuts to agriculture, but since taking office, we've seen significant slashing there. The budget for food inspection and for food safety has declined by 45%, as I mentioned, from \$12.5 million to \$7 million in this fiscal year. The number of OMAFRA—that's the Ontario Ministry of Agriculture, Food and Rural Affairs—inspectors has declined from 130 to 80, and now I understand—at least, the last I heard—there are now only five enforcement officers for the entire province.

These cuts have had a dramatic impact on the enforcement of Ontario's food safety laws. In the three-year period from 1996 to 1999, there were only 18 people or corporations convicted of breaking food safety rules. I suspect there were far more who were doing it, but those were convicted. There have been dozens of media stories that have highlighted illegal slaughterhouses and uninspected and unhealthy meat processors.

The other issue, which Mr Peters dealt with, was the University of Guelph lab.

Overall, I want to say that in principle I agree with a legislation which would strengthen food inspection in this province, not at the expense of farmers but perhaps at the expense of all of us, because we share in the need for safe food. I see a bad trend among various governments toward reducing those inspectors. It gets back to an issue I personally have talked about on many occasions and it's one we'll debate, I suppose, across the floor many times: you can't have tax cuts and not see an effect to services. The revenues are not produced by those tax cuts. There are one or two economists who will tell you that's the case. But unless you could say that with your tax cut, you had to spend every cent of that in Ontario on a good or service produced in Ontario, you can't tell where the impact is going to be. So I think people increasingly have to understand that you can't continue to cut government revenues and still provide good government services.

I think there are some very dedicated people within the Ministry of Agriculture and Food who want us to do a good job. I think there are members on all benches in this Legislature who want to ensure that our food is as safe as it could possibly be. But we can only do that if we have a significant number of staff, a significant number of inspections and the will to do it. This legislation falls short on many accounts.

**The Acting Speaker:** Comments and questions?

**Mr Rosario Marchese (Trinity-Spadina):** I share many of the concerns that most of the Liberal members have raised with respect to this bill. The member from St Catharines just talked about the role of government and

his excitement, and mine, that we are witnessing an interest or desire by this particular party to become the government, because as you know, good listeners, this government didn't come here to act as a government. I think they said they're here to fix the government. It appears like they might want to get into the pattern of governing, which is not such a bad thing at all. In fact, we support a robust role for government. But it's hard to trust these folks.

Interestingly, Jim Coyle said in his comment with respect to the transit announcement today, "Despite frequent bizarre assertions to the contrary, it turns out the Premier and his colleagues might actually be the government after all." I find that somewhat amusing in the way in which he states it.

They talk about the Ontario government taking back control of GO Transit and injecting massive new capital spending. Here is my mistrust. We asked the minister today whether or not he was taking it over and privatizing GO Transit. We asked him three times. It was a simple question: are you taking it over to privatize it? He went blah, blah, blah for six long minutes, not answering the simple question, "Are you interested in privatizing it?" So we don't trust this government. That's the point. They're getting back in, but I still don't trust them. That's one of my concerns, to which I will speak in a little while.

**Mr Galt:** I appreciate all the comments. First I'd like to respond to the member from Elgin-Middlesex-London. At various times, he has made reference to the animal health lab in Guelph in very complimentary terms, but today he was particularly complimentary and spent quite a bit of his speech talking about that particular lab. I'm sure Dr Gwen Zellen, the staff person who is leading this particular bill, is probably watching. At one time she was the head of the laboratory in Guelph. At the same time, for some 24 years, I was involved in the system and, for most of those years was head of the laboratory in Brighton, part of this animal health laboratory complex. I'm also very proud of that system and think it has a tremendous number of very brilliant scientists and some great veterinary pathologists. As a matter of fact, it's probably the leading laboratory in the world in the ability of its veterinary pathologists. So thank you very much for the high recognition of that particular system.

As I listened to the various comments, there is literally no criticism of this bill. What I'm hearing are two things: (1) we don't want to vote for it because we haven't seen the regulations and (2) there is going to be some cost so we'd better start stepping up to the plate and paying for that. When it comes to regulations, I know all the members in opposition know that until you have the authority of the bill going through and becoming an act, there is no authority to have the regs in place and to bring them forward. Secondly, when it comes to costs, there are all kinds of things—for example, healthy futures, a program of some \$90 million over a five-year period. A lot of farmers have already applied for it, for programs to match and to do this very thing. There are still dollars there for farmers in the future to apply.

I really see them supporting this, although for partisan sake, they're going to have to oppose it.

**Mr Dwight Duncan (Windsor-St Clair):** I'm pleased to have the opportunity to respond to my colleagues the members for Elgin-Middlesex-London, Chatham-Kent Essex, Renfrew-Nipissing-Pembroke and St Catharines. I think my colleague Mr Bradley put it best: when this bill was introduced, none of us imagined the turn of events that would happen in the world on September 11. This bill, which one would normally have associated with rural ridings, has taken on even greater significance.

Let me be clear to the member from Northumberland that our party opposes this bill for two principle reasons. First, there is no commitment for additional funding for food inspection, taking into account the cuts this government has made to the food inspection system. They cut the budget by 45%, and they cut the number of inspectors by 38%. That's a significant problem. Simply put, you can have operative legislation all you want, but if you don't have the resources to enforce it, it's not going to work.

Second, the question of what is and is not in regulations, I say with respect to the member from Northumberland, is extremely important. No government, in my view, has abused the notion of leaving legislation silent and simply creating a framework and defined less in the statute, and that's no way to govern. It is no way to govern.

Those points of departure are significant, and they are important. I thought all my colleagues referenced very well and notionally the sorts of questions that ought to be addressed. But, make no mistake, our party and our caucus oppose this for those two very significant reasons: (1) your government's cuts to the food inspection system in this province and (2) your failure to define exactly what you intend to do with this legislation.

1730

**Ms Churley:** I listened with interest to my Liberal friends and their comments on this bill, and they made a lot of good points. One of the first things I thought when I heard this bill was coming out—I was very interested. I was very pleased to see that the government was finally addressing the problem that it created.

I think the present minister wasn't involved in that decision; I'll give him that. But the decision was made to cut millions and millions of dollars—I would say about \$200 million a year on an operating basis. That's \$200 million that was available to ensure that proper food inspection was done. So the government created a problem and came forward with legislation which I was thinking at least they were going to fix. But the problem is, again I say, it's enabling legislation. We don't know what's going to be in the regulations. But even more problematic for me is that there is no money attached to making this work. As the critic, I believe, pointed out, this is another download to the agricultural community, which can ill afford it.

I was very pleased that the Liberal critic talked about the animal health lab in Guelph, because that's been

raised before in this House and we know it's underfunded and under-resourced. So the government is serious about this. We need to hear that there's going to be resources and funding put into making it work. Nonetheless, I'm still very concerned about what the regulations will be, but if we don't know if there's going to be resources, it's not worth the paper it's printed on. The minister knows that.

The other thing I raised and I'll raise again is I'm very concerned about privatizing. A lot of those jobs have already been privatized without the standards attached. We've learned in a very, very difficult way lately how important it is to have well-trained people taking care of our safety. That's what we want to see happen here.

**The Acting Speaker:** The member for Elgin-Middlesex-London has two minutes to respond.

**Mr Peters:** I'd like to thank the members from Trinity-Spadina, Northumberland, Windsor-St Clair and Toronto-Danforth for their comments. I think this is an issue of motherhood. I think that every one of us is concerned about food safety and ensuring that our consumers remain confident in what our farmers are producing and processing in this province. I think we need to do everything collectively that we can to ensure that.

But as was pointed out, the difficulty we have in supporting this legislation is the dramatic cuts to agriculture, and in particular, the dramatic cuts in the field of inspection that have taken place in this province. The other issue is the lack of knowledge of what's going to be contained in those regulations. As the commitment the minister made with Bill 81 and his commitment to the farmers of this province that before the regulations are enacted with Bill 81, there is going to be good industry-wide consultation, I certainly hope that the same commitment is going to be made with these regulations, because these regulations could have serious ramifications.

To the member from Northumberland—and I know from his own experience in working on behalf of farmers in this province—I would really encourage you, member, to go visit the animal health lab. Go visit and talk to the staff there and see what the effect of the cuts has been on the animal health lab, why we have an animal health lab that does play such an important role in this province right now, why we're forcing them to buy second-hand equipment, why we're forcing them to go out and have to encourage industry groups to fundraise for day-to-day operations. There's something wrong there.

We need consumer confidence. We need food safety. There is a role for government to play, and unfortunately this government is abdicating that role.

**The Acting Speaker:** Now we'll have leadoff debate by a member of the third party.

**Mr Marchese:** On a point of order, Mr Speaker: our leader from Rainy River had to go back to his riding. I would ask for unanimous consent to stand down the lead-off, please.

**The Acting Speaker:** Is there consent that we stand down the leadoff time for the third party? Agreed.

**Mr Marchese:** I appreciate the support. I want to tell you that I'm not an expert in the field, but I have some opinions, obviously, on the matter. I listened very carefully to some of the Liberal critics who have a great deal more experience than I do in the field of agriculture. I think it's incumbent on the government to listen to them and to listen to our leader, who has knowledge and experience as well in this field.

I want to raise a few other issues of concern. My concern to begin with was to speak about the role of government. You see, I am a strong believer in a strong government, in a robust role for government. What's happened for the last many years in this assembly, and outside with many of our business leaders and others who have a beef against governments, is that there has been a strong desire to reduce the significance, if not the meaning, of this assembly. So when this government came here to reduce the number of politicians, it must have had some resonance with the public, because they reduced us from 130 to 103. When they reduced the number of people who work for our ministries and proudly announced the layoffs of 14,000 to 20,000 civil servants, there was some resonance with the public, who probably feel that people who work for our government through the various ministries don't work, or don't work hard, or don't work in a significant way that affects their lives.

I say to them and I say to this government that what they did was to contribute to the debilitation of government, rendering themselves and us as politicians vulnerable, to the extent that they don't trust politicians or political parties. That's not very good or very useful for any political party or any government. But this government has contributed significantly to degrading the role and significance of a robust government.

When they come into government saying, "We are not the government, we are here to fix it," they contribute to the negative view of politicians and they contribute to the negative view of governments in general. I speak to that because I feel strongly about the kind of image we need to project to the people in order to gain their trust, and we don't get it by diminishing ourselves in this place. I speak to that, and I quoted Jim Coyle, who said today:

"Despite frequent bizarre assertions to the contrary, it turns out the Premier and his colleagues might actually be the government after all.

"As reported," in the *Star*, he says, "Harris is expected to announce today that the Ontario government will take back control of GO Transit and inject massive new capital spending over the next decade."

He spoke, of course, with some happiness that the government is about to play this role by regaining control of GO Transit, which it downloaded to the municipalities, that we argued was wrong to begin with because you were downloading a major provincial responsibility to cities that rely on the property tax base to fund it. While Jim Coyle was happy, and I am personally happy, to see the government getting back in, I have some doubts about why this government was reinvolving itself centrally in taking control of GO Transit. So today

our leader asked the Minister of Finance, because it was a curious thing to our leader, as indeed it was to me, that the government is doing this. We asked him, "Are you controlling it in order to privatize this service?" You were there, Mr President of this assembly, and you heard the Minister of Finance; you heard those fine blah, blah, blah words which said nothing except to answer the question. It was a very long answer to an unanswered question, but the answer was very clear. The Minister of Finance, in not answering the question of our leader, Howard Hampton, "Are you going to privatize GO Transit?" basically was saying that they have an interest in privatizing.

The subject I am speaking to, Mr Chair of this assembly, is the fact that we don't trust government; the public doesn't trust this government; we don't believe what they say because, when we ask them a clear question about what they were about to do, they don't answer the question. It lends fear to our assertion that that is what they're after. So we don't trust it when it says it's coming back to govern.

1740

So we are interested in and worried about these centralized powers that this government is giving itself. As I read in the explanatory note of the bill, it says in part II, "The bill allows the Lieutenant Governor in Council to make regulations designating, as a licensed activity, any one of a wide range of activities that affect or could affect the quality or safety of food, agricultural or aquatic commodities or agricultural inputs," and it goes on and on. Some farmers are worried about the implications of such a sweeping power that is being assigned to someone. I'm worried about such powers.

In part III it says, "The bill allows the Lieutenant Governor in Council broad powers to make regulations for the purpose of ensuring the quality or safety of food, agricultural or aquatic commodities," and on and on and on. Again, broad powers will be assigned to some of these people who will be hired. We're assuming that they may or may not be qualified; we don't know. But it's giving broad powers to individuals without qualifying what those broad powers are and what it is exactly that they will do.

Frankly, I say to you that the Liberals were obviously stating a concern, as we do, and I'm sure farmers are stating a concern, as we are, that they want to know what broad powers you are giving that will come by way of regulation, not specified in the bill. They ought to be properly worried about the implications of that, because they're not stated. No one wants to give power to anyone without knowing what it is we are empowering those individuals to and how we are affected, in this case how farmers are affected, and, in the larger, connected case, how the public is connected to those powers.

"A director or a person authorized in writing by a director may appoint inspectors." That says "may," and we're assuming that "may appoint inspectors" means that they—I don't know what it says, but it says that it may; not that it shall, but that it may appoint inspectors.

We're concerned that this government caused the problem in the first place and it now wants to solve it in some way. I don't think that's a problem. I think it's useful that the government recognizes that it created a problem that it needs to fix. There are concerns about how they're going to fix it, but at least it's a recognition or an admission of a problem they have caused. How have you, Conservative members, caused this problem? I'll try to give a list; if not a list, at least an example.

You have reduced the Ministry of Agriculture, Food and Rural Affairs by \$200 million a year on an operating basis. That's \$200 million a year that used to be available to ensure proper food inspection and that it actually happened: a cut of \$200 million, a significant amount. It's a lot of money. So the government is admitting, "Yes, we have made deep cuts and, yes, it might have some collateral effect to food safety," at least in this particular instance, but so many other related problems. So they're finally admitting that maybe we should put back a couple of bucks to ensure food safety. Who could disagree with that? Everyone wants food safety, from the farmers to the people who consume the food that they produce. A \$200-million cut. Imagine what that would have been able to do in terms of ensuring the safety of the things that we tend to—by way of connection, Walkerton obviously taught you a big lesson that when you eliminate the role of government and/or diminish or reduce it to the extent that you no longer are effective or efficient in your ability to govern, you are endangering yourselves politically but risking our health as Ontarians. You risk our health by removing yourself from the proper role of governing, and you witnessed that in your involvement, or lack of involvement, vis-à-vis Walkerton. A lot of people had to die and a lot of people got sick. We argue that you played a role in this regard by not having the people properly there to inspect that water and to ensure that when we drink this glass of water that is brought to us on this table from time to time, it's safe. So it's a lesson for all of us. It's a lesson for all Ontarians.

**Mr Gregory S. Sorbara (Vaughan-King-Aurora):** I'm new here. Is this a filibuster? He's been talking all day.

**Mr Marchese:** Mr Sorbara, we've got 20 minutes and I've got eight minutes left.

**Mr Sorbara:** It only seems like three hours.

**Mr Marchese:** It's long. I know what you're saying. I'm glad Mr Sorbara is back, because it's good to have this interplay. And Mr Sorbara is quite right. I'm not a farmer. He's right.

**Ms Churley:** You eat the food, don't you?

**Mr Marchese:** I eat the food willingly and happily and I'm worried about the food we're eating. That's for certain.

*Interjection.*

**Mr Marchese:** You're quite right, and I'm sure you're closer to farmland than I am and maybe you have a lot more to say on this than I do; I don't know. But we want to have this bill sent to committee hearings because we want to make sure that farmers are able to comment

on the bill, the intent of the bill, the effect of the bill or what's lacking in this bill. We want to make sure that everyone has a full opportunity to debate what is being presented in this House.

Mr Peters and Mr Hoy raised a number of concerns. They're farmers, and obviously we have to listen to them as we will have to listen to many others. I'm assuming you consulted some of the folks who are supporters of yours, and I suggest to you that you've got to consult people who may not be supporters of yours.

You see, I am profoundly worried about your ability to put into effect a number of the suggestions you make in this bill. Because you took \$200 million away from this ministry, it's going to be awfully difficult to find money to put back. You see, you're not going to be able to recover the money that has been lost. Those income tax cuts and the corporate tax cuts you have made have meant that \$8 billion has gone away, including that \$1 billion that you gave away to make everybody feel good a while ago when you gave every Ontarian 200 bucks. Not everyone got it, but most people got 200 bucks. You wasted \$1 billion by giving people 200 bucks each because you said that belongs to them so they could have it in their pockets; wasted \$1 billion that you could have used and could have kept to maintain the level of support in this ministry. But that's gone. That one billion is gone, including the \$8 billion to \$10 billion or \$11 billion that will go away at the end of your term as you complete your income tax and corporate taxes—gone away.

Look, I don't wish for this recession that's coming to be deep. New Democrats experienced it in 1990 and the people suffered it, and they will suffer it again if the recession that's coming is deep. We don't want it, we don't wish it, but I tell you it will be worse than what we experienced in 1990, and it will be worse for these people because they don't have the money. They've given it away. Ten billion bucks will be gone. You won't be able to recover it. And while you may have put one billion aside, and the minister quite haughtily and happily says that everything is moving on all right, things are not moving along well. They're not. The one billion he put aside, and I hope he put more, will simply not be enough. It won't last more than a month or two. If this recession deepens, that one billion bucks you people put aside will be gone and this claim and the inspectors that you hope to hire may not be there because you won't have the money to hire them. And you're not going to go into debt, because you people don't believe in going into debt at any cost. So everybody will suffer in this province.

1750

Do I trust you're going to be hiring inspectors? I don't know who you are going to be hiring. Do I believe you're going to contract out that work? That's very likely. And to whom? I don't know, but I suspect you'll be contracting out the work of inspection. We don't know to whom, we don't know the level of expertise and we don't know what level of support you will give operationally to this ministry, because judging on the basis of your past experience, you've cut its operational budget severely.

You have weakened that ministry for the last many years, and you won't be able to recover from that.

A bill that pretends to fix a problem that you have caused, well, it sounds good, but I'm not quite sure yet how it's all going to go by way of enforcement and by way of actually providing the resources to hire the inspectors who are going to be needed.

Others have raised the question, will these inspectors inspect consistently across the board? It's a good question. I'm not sure. I don't know. Are there any rules around that? Are there any guidelines or criteria? I don't know. These are questions that will have to be addressed. Who will be hired and what level of expertise are questions that will have to be addressed. How much money will be put back and to what extent will those reductions of 30% or 40% of inspectors be increased? I don't know.

These are questions that we need to put to you in those committee hearings that we anticipate we will have. I'm assuming this is a bill that you will find positive, or at least positively received, and therefore there will be a desire and an interest on your part to take this bill out. This is what we urge this government to do, because I know there are going to be many people who have an interest in speaking to this bill.

We cannot take risks with food and safety across this province. We cannot take risks with our water, which is becoming a preoccupation of many in this province and ought to be a serious preoccupation of yours. While it wasn't in the past, it now has become your preoccupation, and we're glad to see an interest in your desire to look after the concerns of food safety in this province.

I know our leader will have an active interest in participating in this debate. I know my friend from Toronto-Danforth will also speak to this from an environmental interest of hers. We will have indeed a lively debate in the ensuing weeks.

But I want a commitment from the government to say, "Yes, we will have hearings. Don't you worry, Marchese, and others who are thinking that somehow we might follow the pattern of the past where there will be one-day hearings, day-and-a-half hearings on issues, and one week on those very issues that are not very controversial and are pleasing to the government. Don't worry, we're going to do that." That's what we want to hear. Hopefully the members who are about to speak after us will assure me that the hearings will be adequately long so that we and others across the province who have an interest in this will be able to participate and comment and give some guidance to this government.

**The Acting Speaker:** Comments and questions?

**Hon Mr Coburn:** I listened with some interest, although there wasn't very much substance about this particular bill from the last speaker, who talked and railed on about everything else other than what's in front of us.

I just want to expand on some of the things that are in this bill and some of the rationale behind it. The stake-

holders we work with in agriculture are professionals and well experienced in whatever commodity they produce or grow. They take great pride in what they do, because they are recognized around the world for being in a class of their own in terms of food production: efficient food production, quality food production and safe food production. We have that reputation, and it didn't happen by accident. It's one that's been built on over the years.

Because of the constant change we have in our society today, in any line of work, in any occupation, if you don't stay on the leading edge and take advantage of new technologies, you're soon left behind and your market starts to dissipate on you. A lot of the commodity groups I work with on a day-to-day basis, who are stakeholders here in Ontario who contribute to the \$28-billion agriculture and agri-food business, recognize that; for example, pork producers. "Pork producers in this province take pride in producing a safe, wholesome product and we support the consolidation of safe food legislation," stated Ontario Pork Chair Clare Schlegel. "Ontario has one of the safest food supplies in the world and this new legislation will help maintain the high level of consumer confidence in our product"—not only maintain it but help them expand their markets and opportunities in the global marketplace. They take great pride in doing that, and they're self-starters. That's the other interesting thing about our agriculture and agri-food business: they are self-starters. They have initiated their own processes to ensure food safety so there can be trace-back and trace-forward in terms of identifying any problems we have throughout the food chain.

**Mr Bradley:** I was glad, Mr Speaker, as I know you were, that the member for Fort York drew an analogy between privatization of what we see as inspection services related to food safety and the privatization, potentially, of GO Transit, because I happen to have the same suspicion he has.

First of all, the government seemed to want a standing ovation because they retreated to a position they abandoned a few years ago with such relish and bombast, back to the funding of GO Transit, government of Ontario transit, as they should have. But the concern he mentioned in his speech, that somehow there's money to be made on that, that there are some private people waiting with good connections to the Tory party, I happen to think, is probably true. I've seen it on Highway 407.

As you would know, Speaker, because you represent an area that has a lot of small towns and some villages, they're going to do the same thing with the LCBO stores, and the Tories in the local places are just rubbing their hands, waiting to get their hands on that LCBO store.

So when he mentioned he was concerned about the privatization of inspection services, I can certainly understand and relate to that. To put it basically correctly, as I think the member did, you need far more inspectors, far more inspections and necessary assistance to farmers so they can comply with this legislation, because in many ways farmers are doing a favour for those of us in this

province. They're providing our food. Oftentimes, particularly in times of drought, as we had this year, that's done at great expense to themselves.

**Ms Churley:** I'd like to congratulate the member for Fort York for his fine speech about food safety.

I'm sorry to have to say this—I really am, Minister—because we're concerned, we all are, about food safety here. We learned in the most difficult way possible when Walkerton happened and people died from drinking their water, how critical it is to have inspection regimes in place to provide assurances to people that whatever we put in our bodies is not going to kill us or make us sick. We know that *E. coli* grows in water, it grows in hamburger, and there are all kinds of other problems out there and growing within the food sources because of what's happening across the world.

But I'm sad to say that I believe this is an exercise in media spin. It's spin. My leader said that when the announcement was first made in the House, and it's true. Your government downloaded a lot of these services before and laid off, got rid of, people who were inspecting the regulated abattoirs. You talk about privatizing services later; they already did that. That was done after that happened, where some people were laid off, and then other inspection positions were contracted out. There's absolutely nothing in this bill that assures us that the people are going to be well-trained civil servants so we can have some assurances that our food will be inspected properly and that there's accountability. That is what we're concerned about here.

So two things: there's no money, no resources attached to this; and there's a concern that the whole thing is going to be privatized and that accountability won't be there. We need a bill to assure people that their food is safe. Therefore, we're going to have to have public hearings so that the public can have their say.

**The Acting Speaker:** Questions and comments?

**Mr Smitherman:** What a way to finish a Thursday, the first week back, with this fine presentation by my friend the member for Trinity-Spadina ending the day in a better frame of mind than when we began it.

Your involvement, I say to the member for Toronto-Danforth, will get us right back on track.

**Mr Bradley:** I still say Fort York.

**Mr Smitherman:** The riding was Fort York for a time, and I'm proud to represent a portion of that riding now.

The minister stood in his place in critique of the fine presentation by the member and he said, "He went from here to there and everywhere and he didn't really cover the subject at hand." I think you didn't listen well, at least you didn't hear what I heard, which was a presentation that underlined the same concern that the Liberals outlined this afternoon, which is here again on the part of that government. We have a piece of legislation which has got a lot of words and very little delivery mechanism. We've got one more example of a once proud ministry that's been gutted to the point that its effectiveness and its ability to do the very things that the bill asks it to do

have been undermined by a government that has a vision only for tax cuts and diminishing public services in our province.

I would say to the government, underlining, I think, the basic principle of the point made by my friend the member for Trinity-Spadina, that I believe from the people of Ontario, particularly influenced by the insecurity that has gripped so many of us since September 11, that there will be a call for the restoration of once-proud public services; that people will begin again to look to government, not just as a place to cut services and to give tax cuts, but also as a place to ensure that the most basic needs that we have as citizens are taken care of.

**The Acting Speaker:** The member's time has expired. The member for Trinity-Spadina has two minutes to respond.

**Mr Marchese:** I want to thank my friend from Toronto Centre-Rosedale, because we are friends, including the member for St Catharines. We disagree strongly on some issues, but I appreciate their comments. The member for Toronto-Danforth, my colleague—

**Ms Churley:** We're friends too.

**Mr Marchese:** We're friends and colleagues.

In response to the minister, who went on at the end to talk about farmers and farming, who disagrees with his comments about the fact that they're self-starters and they take pride in their work and that they're innovators? Good God, I agree. No one disagrees with that and no

one spoke against their initiative or what it is that farmers do and their interest and their pride in their hard work. Good God, I'm with you. That's not what I was talking about.

I'm worried about what a previous Minister of Agriculture was quoted as saying once. When our leader was talking about the abattoirs and the need to provincially regulate them, if you recall, the minister at the time said, "We don't need these food inspectors." You understand, Minister, that when a minister is quoted as saying, "We don't need these food inspectors" some time ago, it makes me suspect. It worries me; you understand that.

So when all of a sudden you say, "But we want food inspectors. We need them to ensure food safety," on this side I say, yes, we do, but we recollect the past very well and we are profoundly worried, so worried that we want hearings to understand who you're going to hire, how many food inspectors you're going to hire, who they're going to be, their level of expertise, what they will inspect. We want to hear it debated in the hearings and not under regulations, where they are hidden from public view. That's what we expect of you, and I didn't hear you say that's what we're going to get.

**The Acting Speaker:** The member's time has expired.

It being past 6 of the clock, this House stands adjourned until 1:30 pm, Monday, October 1, 2001.

*The House adjourned at 1805.*

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# CONTENTS

Thursday 27 September 2001

## PRIVATE MEMBERS' PUBLIC BUSINESS

### Ipperwash Provincial Park

Mr Kormos .....	2159, 2161, 2166
Mr Maves .....	2160
Ms Di Cocco .....	2161
Mr Stockwell .....	2162
Mr Phillips .....	2163
Mr Marchese .....	2164
Ms Churley .....	2165
Negated .....	2174

### Rent regulation

Mr Marchese .....	2166, 2173
Mr Tascona .....	2168
Mr Smitherman .....	2168
Mr Mazzilli .....	2169
Mr Sorbara .....	2169
Ms Churley .....	2170
Mr Gilchrist .....	2171
Mr Kennedy .....	2172
Negated .....	2175

## MEMBERS' STATEMENTS

### Seniors' health services

Mr Sergio .....	2175
-----------------	------

### Martyrs' shrine

Mr Dunlop .....	2175
-----------------	------

### Regent Park community

Mr Smitherman .....	2175
---------------------	------

### Child poverty

Mr Kormos .....	2176
-----------------	------

### Mordecai Richler

Mr Arnott .....	2176
-----------------	------

### Home care

Mr Gravelle .....	2176
-------------------	------

### Hate crimes in London

Mr Wood .....	2177
---------------	------

### Medical services in London

Mr Peters .....	2177
-----------------	------

### Carl Brewer

Mrs Munro .....	2177
-----------------	------

## STATEMENTS BY THE MINISTRY AND RESPONSES

### Transit and transportation

Mr Clark .....	2178
Mr Flaherty .....	2178
Mr Hodgson .....	2178
Mrs Witmer .....	2179
Mr Coburn .....	2180
Mr Colle .....	2181
Mr Phillips .....	2181
Mr Hampton .....	2182

### Tourism

Mr Hudak .....	2180
Mr Gerretsen .....	2181

## ORAL QUESTIONS

### Ontario economy

Mr McGuinty .....	2182
Mr Flaherty .....	2183

### Ipperwash Provincial Park

Mr McGuinty .....	2183
Mr Flaherty .....	2184, 2185
Mr Hampton .....	2185

### Transit and transportation

Mr Hampton .....	2184
Mr Flaherty .....	2184
Mr McGuinty .....	2186
Mr Clark .....	2186

### Emergency preparedness

Ms Mushinski .....	2186
Mr Turnbull .....	2186, 2189
Mr Bradley .....	2189

### Education on intolerance

Mr McGuinty .....	2187
Mrs Ecker .....	2187

### Birth certificates

Mr Sterling .....	2187
Mr McGuinty .....	2188

### Family resource programs

Ms Martel .....	2188
Mr Flaherty .....	2188

### Health care reform

Mr Gill .....	2189
Mrs Johns .....	2190

### Corporate tax reductions

Mr Phillips .....	2190
Mr Flaherty .....	2190

### Electronic monitoring

Mrs Munro .....	2191
Mr Sampson .....	2191

### Audiology services

Ms Martel .....	2191
Mr Clement .....	2191

## PETITIONS

### Safe streets legislation

Mr Duncan .....	2192
-----------------	------

### Province of Ontario Savings Office

Mr Christopherson .....	2192
-------------------------	------

### Protection of minors

Mr Wood .....	2192, 2194, 2195
---------------	------------------

### Health care funding

Mr Bradley .....	2193
------------------	------

### Health care services

Ms Martel .....	2193
-----------------	------

### Lord's Prayer

Mr O'Toole .....	2193
------------------	------

### Ontario disability support program

Mr Hoy .....	2193
Mr Peters .....	2195

## Personal needs allowance

Mr Christopherson .....	2194
-------------------------	------

## Audiology services

Mr Peters .....	2194
-----------------	------

## SECOND READINGS

### Food Safety and Quality Act, 2001,

Bill 87, *Mr Coburn*

Mr Coburn .....	2195, 2200, 2212
Mr Galt .....	2197, 2209
Mr Smitherman .....	2199, 2213
Ms Churley .....	2199, 2209, 2213
Mr O'Toole .....	2200
Mr Hoy .....	2200, 2205
Mr Peters .....	2201, 2210
Mr Conway .....	2204
Mr Bradley .....	2207, 2213
Mr Marchese .....	2208, 2210, 2214
Mr Duncan .....	2209
Debate deemed adjourned .....	2214

## OTHER BUSINESS

### Tragedy in Switzerland

Mr Colle .....	2177
----------------	------

### Security

Mr Colle .....	2177
Mrs Ecker .....	2178
The Speaker .....	2178

### Business of the House

Mrs Ecker .....	2192
-----------------	------

## TABLE DES MATIÈRES

Jeudi 27 septembre 2001

## PÉTITIONS

### Protection des mineurs

M. Wood .....	2194
---------------	------

## DEUXIÈME LECTURE

### Loi de 2001 sur la qualité et la salubrité des aliments, projet de loi 87, *M. Coburn*

Débat présumé ajourné .....	2214
-----------------------------	------

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Second Session, 37<sup>th</sup> Parliament

**Assemblée législative  
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Deuxième session, 37<sup>e</sup> législature

# **Official Report of Debates (Hansard)**

# **Journal des débats (Hansard)**

**Monday 1 October 2001**

**Lundi 1<sup>er</sup> octobre 2001**



**Speaker  
Honourable Gary Carr**

**Président  
L'honorable Gary Carr**

**Clerk  
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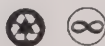
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 1 October 2001

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 1<sup>er</sup> octobre 2001

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### WOMEN'S HISTORY MONTH

**Mrs Marie Bountrogianni (Hamilton Mountain):** I rise in the House today to recognize the 10th anniversary of Women's History Month. We celebrate women in October because women were recognized as persons under Canadian law in October 1929.

This year's theme recognizes women in their role as volunteers. Seventy-five per cent of women participate in formal volunteer activity. It is these volunteer activities in schools, hospitals, nursing homes and community centres that enrich the communities of Ontario.

Great strides have been made by women in achieving a better gender balance, but there is still more work to be done. Regardless of a woman's skills, knowledge and ability, the after-tax income of women is still a shocking 63% of that of men. Not surprisingly, poverty is still a major issue for women, especially for single mothers and senior citizens.

The Harris government has failed in its policies to recognize that women, while also working outside the home, are the primary caregivers to their children and elderly relatives. Women still perform the lion's share of the work of the home. Studies have shown that this trend is continuing, with young girls still completing more chores than their brothers.

This government should do more to ensure that government policies do not have a negative gender bias. Many of this government's initiatives, which include cuts to health care, education and social services, have a direct impact on the lives of women in the province. These cuts tip the gender imbalance and erode the quality of life of women and families in Ontario.

Let us all take the time to recognize the contributions of women this month, and of all volunteers in this province. However, let us not lose sight of the fact that there's still more work to be done to bring full equality to the women in this province.

#### ISLAMIC EDUCATION AND COMMUNITY CENTRE

**Mrs Tina R. Molinari (Thornhill):** I had the pleasure yesterday afternoon to attend the celebration of the

groundbreaking ceremony of the new Islamic education and community centre in my beautiful riding of Thornhill. The children of the Al Saddiq Islamic private school kicked off the celebration with the singing of O Canada and performed Arabic poetry and songs of peace. The expression of happiness in the faces of the children and the many families who belong to the Shia Muslim community was a joy to behold. Many youth speakers expressed their enthusiasm and that this day for them was like a dream come true.

The event was also attended by the Honourable Hilary Weston, who took part in the official groundbreaking with Brother Rajani, the president of the Ishna Asheri Jammaat of Toronto. It was a happy day for the Shia Muslim community, and many members of different faiths also attended to show their support.

This centre will open next to the Yashiva, a Jewish theology college, a sign of the great diversity and understanding that exist in our province of Ontario and in Thornhill.

It was truly a pleasure to be part of a very special day in the Shia Muslim community. Not only was it the groundbreaking but also a celebration of the anniversary of their Imam Ali.

I wish the community all the success in the next phase of goal in completing the centre.

#### HAMILTON-WENTWORTH DETENTION CENTRE

**Mr Dominic Agostino (Hamilton East):** On Friday, September 28, inmates at the Barton Street jail in Hamilton rioted after being caught in the act of drug smuggling. We would have had a potentially explosive situation here, had it not been for the great work of the guards and the city of Hamilton police to quell this.

I've warned this government and I've warned this minister that there is a powder keg ready to explode at the Hamilton detention centre. We have understaffing, we have a problem with security, we have a problem with the fact that this government has blindly cut all programs and support to inmates in this facility, which holds people who are in there for break and enter, to people who are in there on murder charges. We have a dangerous mix.

I ask this government today to undertake a full security audit of the Hamilton detention facility to ensure the staffing level is there to meet the needs, to ensure that the guards lives are not in danger because of cuts by this

government, to ensure safety precautions are in place and to ensure that some of the barbaric program cuts made by this government, which make it a very explosive, tension-filled, dangerous situation, are reviewed.

We cannot allow a situation to continue where you have overcrowding in a jail, where you put guards' lives at risk because you are totally obsessed with continuing to cut costs in our facilities. You talk the talk, but you do not protect the guards and the communities that host these jails. Minister, I don't want to be standing here again in a much more dangerous situation which may occur in the future if you don't act. You've been warned. This is one situation that could have been avoided. I ask today that you take the necessary steps to ensure this will not become a more tragic, more difficult situation at that facility in the future.

### ONTARIO AGRICULTURE WEEK

**Mr Bert Johnson (Perth-Middlesex):** I'm pleased to rise in the Legislature today to proclaim that this is Ontario Agriculture Week, 2001. This morning, I officially launched the fourth annual Ontario Agriculture Week here in beautiful downtown Toronto with the help of my colleague, Brian Coburn, the Minister of Agriculture, Food and Rural Affairs; Bill Mailloux, vice-president of the Ontario Federation of Agriculture; Bob Bedggood, president of the Christian Farmers Federation of Ontario; and leaders of many of Ontario's commodity groups as well as farmers.

I'd like to thank the many members from all parties who joined us this morning. I trust you enjoyed the Ontario-grown and Ontario-produced feast.

Agriculture Week is an opportunity to recognize Ontario's farmers and the importance of our agri-food industry.

I was born and raised on a farm. The hard work and dedication of my parents when raising our family was truly an example of what makes the farmers of Ontario great. The strength of our province depends upon farmers, and I'm proud to be the representative of some of Ontario's best.

It's important to remember that agriculture injects \$25 billion annually into the provincial economy and employs more than 640,000 people. I'd like to thank the farmers in my riding of Perth-Middlesex and the thousands of other farmers across the province for their contribution to the quality of life of our citizens. This week, take a moment to salute our agricultural communities and farm families. Invite Ontario home for dinner.

### ONTARIO FARM INCOME DISASTER PROGRAM

**Mr Steve Peters (Elgin-Middlesex-London):** As we kick off Agriculture Week, unfortunately I have to point out once again the disaster that is the Ontario farm income disaster program. It is more than a \$200-million disaster. I repeatedly warned this ministry of the mis-

management of our largest farm program. The last minister didn't listen, and I trust the current minister will.

In a time of economic downturn when the government should be proactive, millions of dollars are owed to our farmers. Together with an accountant from Delhi, my office has been meeting with government officials in Guelph to straighten out dozens of files. The results are earth-shattering.

As of last Friday, 16 farms in Elgin, Norfolk and Brant counties are owed more than a million dollars. A cash cropper in Wilsonville was told he would get nothing; now he's receiving \$56,000. Another in Delhi gets \$53,000; Windham Centre, \$69,000. An Oakland cash cropper has \$14,000 clawed back, only to learn he's eligible for \$84,000. The list goes on and on.

Minister, with a million dollars owing to only 16 farms in three counties, consider the margin for error when calculating the 7,000 applications in the early program. The consequences are staggering. Last Friday, Ottawa extended the deadline for the 2000 program. Your ministry claims it was taken off guard. This is unacceptable. You must immediately work, Minister, to clear up this disaster: reopen the 1998 and 1999 files immediately, extend the 2000 deadline, and admit once and for all that this program is an absolute disaster.

1340

### ANTI-RACISM ACTIVITIES

**Ms Marilyn Churley (Toronto-Danforth):** On Friday, September 28, I joined Alexa McDonough, the leader of the federal New Democratic Party, in a meeting with leaders of Toronto's Canadian Arab community to discuss the ugly racist attacks members of their community are enduring since the horrible events of September 11. We were joined by Dr John Asfour, president of the Canadian Arab Federation, and Dr Atif Kubursi, president of the National Council on Canada-Arab Relations and 50 representatives from the Arab community. They talked eloquently about what our political leaders need to do to reaffirm our fundamental Canadian values after reading the poll that indicates that 50% of Canadians say they favour different treatment for individuals of Arab origin.

I was barely able to keep the tears from flowing as I observed the pain in the eyes of every person in that room. One man expressed shock that Canadians would allow such a question to be asked and suggested that there would have been outrage expressed by Canadians had that question been asked about blacks or Jews.

A man spoke about his 12-year-old son named Osama who has been harassed at school. He pleaded with his father to change his name to Michael or some other Canadian name. This is heartbreaking. My leader, Howard Hampton, has called on the Harris government to do more and I am calling on them today to do more: establish a special hotline that people can call if they are experiencing discrimination; institute a special OPP unit dedicated to investigate complaints swiftly; reinstitute the

anti-racist secretariat; the Minister of Education must work with the school boards to educate all students about Arab and multiculturalism; counselling for people who have been affected by this terrible racism; and financial assistance to rebuild or repair mosques and other property damaged by racist attacks.

#### BRAMPTON EXCELSIORS LACROSSE TEAM

**Mr Joseph Spina (Brampton Centre):** In anticipation of the annual Brampton Sports Hall of Fame dinner tomorrow night, I bring news of another great moment in Brampton sports history. The Brampton Excelsiors are the longest-running sports franchise in Canadian history. The Excelsiors have enjoyed success as a major lacrosse team since they began in 1883 and won their first Canadian championship in 1930 when the senior Excelsiors won the Mann Cup.

The Mann Cup is one the oldest and most valuable sports trophies in Canada. The late Sir Donald Mann, builder of the Canadian Northern Railway, first donated this solid gold cup in 1910 for the annual competition for the senior amateur lacrosse championship in Canada. The Excelsiors beat the defending Mann Cup champions, the Brooklin Redmen, in the Ontario championship, bringing them to the finals to play the Coquitlam Adanacs. They were tied three games apiece in the final games. The Adanacs scored in the last minute to win the game 10 to nine, stealing the victory to win their first Mann Cup ever.

I congratulate the Adanacs on their win and also congratulate all of the Excelsiors and their head coach, Terry Sanderson, for getting the team to the championship. Go Excelsiors. Congratulations once again.

#### FIRE PREVENTION WEEK

**Mr Dwight Duncan (Windsor-St Clair):** Yesterday, I attended the kickoff to Fire Prevention Week in my community of Windsor. I was pleased to join Chief Dave Fields, representatives of the Ontario Professional Fire Fighters Association, as well as most of the members of the Windsor Spitfires major junior A hockey team who have contributed their time and energy to help promote fire safety and fire prevention in our community. There were another 200 or 300 people from our community, and among the other things we recognized were the heroic efforts, not only on part of firefighters, but on the part of our community who have been recognized over the course of the last year for their efforts in saving the lives of a number of people who were caught in unfortunate circumstances.

One could not help but be reminded of the heroic efforts of firefighters in the tragedy in New York City. We were reminded yet again in our community of the daily heroics of firefighters, whether in Windsor or any part of this province, in being ready, being prepared to

help, being prepared to risk their lives, put their lives at risk, in the interest of protecting the public.

On behalf of all of the people in my community, and I know later this week and over the course of the next two weeks we'll be talking more about fire prevention and safety, I pay tribute to those firefighters who every day risk their lives for the rest of us.

#### NORTHUMBERLAND TOASTMASTERS CLUB

**Mr Doug Galt (Northumberland):** I rise in the House today to congratulate the new Northumberland Toastmasters Club on their recent charter. Pauline Carrick was installed as president and has very capably taken on that leadership role.

Toastmasters is an organization that plays an important role in improving the quality of life for its members and the surrounding community. It affords people the opportunity to build up their self-esteem through public speaking and social engagements. They attract numerous business-oriented individuals who are required to make presentations and public announcements, as well as residents who simply wish to improve their speaking skills.

Since its start on April 17, 2001, the Northumberland Toastmasters Club has grown to 23 very enthusiastic members. On September 25, 2001, the Northumberland Toastmasters Club was chartered by the Toastmasters International.

It is important for community leaders in rural areas to establish such organizations as a means of self-improvement and community involvement. Last Tuesday at their charter I had the opportunity to speak to the Toastmasters Club in Cobourg to congratulate them on their rapid success. I received a warm welcome and enjoyed their kind hospitality.

I encourage all members of the House to visit their local Toastmasters Club and learn more about this worthwhile and very informative organization.

#### ANNUAL REPORT, ENVIRONMENTAL COMMISSIONER OF ONTARIO

**The Speaker (Hon Gary Carr):** I beg to inform the House that today I have laid upon the table the 2000-01 annual report of the Environmental Commissioner.

#### VISITOR

**The Speaker (Hon Gary Carr):** Point of order, the Chair of Management Board.

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet):** On a point of order, Mr Speaker: I'd like to recognize the presence today in the members' gallery of Father Mark Curtis, who is known as Canada's Singing Priest. He has raised over \$11 million for charities across this country. Mark, welcome.

**The Speaker:** That is not a point of order, but we welcome our guest.

## INTRODUCTION OF BILLS

### HEALTH PROTECTION AND PROMOTION AMENDMENT ACT, 2001

#### LOI DE 2001 MODIFIANT LA LOI SUR LA PROTECTION ET LA PROMOTION DE LA SANTÉ

Mr Dunlop moved first reading of the following bill:

Bill 105, An Act to amend the Health Protection and Promotion Act to require the taking of blood samples to protect victims of crime, emergency service workers, good Samaritans and other persons / *Projet de loi 105, Loi modifiant la Loi sur la protection et la promotion de la santé pour exiger le prélèvement d'échantillons de sang afin de protéger les victimes d'actes criminels, les travailleurs des services d'urgence, les bons samaritains et d'autres personnes.*

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Garfield Dunlop (Simcoe North):** The bill amends the Health Protection and Promotion Act to allow a medical officer of health to make an order requiring the taking of a blood sample from a person if the officer is of the opinion, on reasonable grounds, that the applicant for the order has come into contact with a bodily substance of the person as a result of being a victim of crime, providing emergency health care services or emergency first aid or performing a function required by regulation. The order will require a legally qualified medical practitioner or other qualified person to take the blood sample and deliver it to an analyst. It will also require the analyst to analyze the sample and to make reasonable attempts to deliver a copy of the results of the analysis to the person from whom the sample was taken and to the person who obtained the order.

## MOTIONS

### HOUSE SITTINGS

**Hon Janet Ecker (Minister of Education, Government House Leader):** I move that pursuant to standing order 9(c)(i) the House shall meet from 6:45 pm to 9:30 pm on Monday, October 1, Tuesday, October 2, and Wednesday, October 3, 2001, for the purpose of considering government business.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members; this will be a five-minute bell.

*The division bells rang from 1350 to 1355.*

**The Speaker:** Would the members kindly take their seats, please.

All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Agostino, Dominic	Gerretsen, John	O'Toole, John
Arnott, Ted	Gilchrist, Steve	Parsons, Emie
Baird, John R.	Gill, Raminder	Peters, Steve
Bartolucci, Rick	Gravelle, Michael	Phillips, Gerry
Beaubien, Marcel	Hastings, John	Ramsay, David
Bountrogianni, Marie	Hodgson, Chris	Runciman, Robert W.
Boyer, Claudette	Hoy, Pat	Ruprecht, Tony
Bradley, James J.	Hudak, Tim	Sampson, Rob
Brown, Michael A.	Jackson, Cameron	Sergio, Mario
Bryant, Michael	Johns, Helen	Smitheman, George
Caplan, David	Johnson, Bert	Snobelen, John
Chudleigh, Ted	Klees, Frank	Spina, Joseph
Coburn, Brian	Kwinter, Monte	Sterling, Norman W.
Colle, Mike	Lalonde, Jean-Marc	Stewart, R. Gary
Conway, Sean G.	Levac, David	Stockwell, Chris
Crozier, Bruce	Mariand, Margaret	Tascona, Joseph N.
DeFaria, Carl	Maves, Bart	Tilson, David
Di Cocco, Caroline	Mazzilli, Frank	Tsubouchi, David H.
Dombrowsky, Leona	McLeod, Lyn	Tumbull, David
Duncan, Dwight	McMeekin, Ted	Wettlauffer, Wayne
Dunlop, Garfield	Miller, Norm	Wilson, Jim
Ecker, Janet	Molinari, Tina R.	Witmer, Elizabeth
Elliott, Brenda	Munro, Julia	Wood, Bob
Galt, Doug	Newman, Dan	Young, David

**The Speaker:** All those opposed to the motion will please rise one at a time and be recognized by the Clerk.

#### Nays

Churley, Marilyn	Kormos, Peter	Martel, Shelley
Hampton, Howard	Marchese, Rosario	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 72; the nays are 5.

**The Speaker:** I declare the motion carried.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### INTERNATIONAL DAY OF OLDER PERSONS

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** This government is fully committed to the safety, security and best quality of life for Ontario's 1.5 million senior citizens. They deserve to live in dignity, and they will.

We are entering an era in which our seniors population is expanding rapidly. Seniors are expected to outnumber children in this province as early as 15 years from now. Within the current decade, the number of seniors in Ontario will grow by an estimated 340,000. In the year 2011, when the first baby boomers turn 65, this population will start to grow even more rapidly.

We want to ensure that seniors can live free from harm, fully participate in their communities, and have

their contributions recognized and respected. We want to ensure that seniors live with dignity and independence and in their own communities as long as possible. We are promoting healthy aging and providing the information that seniors and their families need to make informed decisions.

1400

This government focuses on matters of concern to seniors, in conjunction with other provincial, territorial and federal ministers responsible for seniors. We are guided by the five principles agreed to on the part of the FPT national framework on aging. These principles promote the overall health and well-being of our seniors. They are: dignity, independence, participation, fairness and security.

This government's careful, prudent and common sense approach is reflected in our long-term-care investment plan. Over an eight-year period, we are committed to increasing our spending on long-term-care services.

In 1997-98, we spent approximately \$2.4 billion on long-term-care community and facility services. By the year 2005-06, we will have spent approximately \$3.6 billion a year. This is the single biggest investment in health care in Ontario's history and it keeps us well out in front of other provinces in per capita spending on home care services. This investment plan lets us grow our long-term-care bed supply by 20,000 beds, an increase that exceeds the growth in the 75-plus age group population over the same time period.

This government's strategy also includes a \$68.4-million multi-year investment in Ontario's strategy for Alzheimer's disease and related dementias, a plan that makes Ontario a world leader in caring for people with Alzheimer's disease and related dementias and is easing the burden that caregivers are feeling.

Elder abuse is another unfortunate reality in our society. It is a terrible reality affecting 4% to 10% of Ontario seniors. It could be physical abuse, emotional abuse, financial abuse or neglect or a combination of all of them. Two years ago, I announced our government would develop a comprehensive strategy to deal with elder abuse and I announced a round table of experts would help us develop this comprehensive strategy, the first of its kind in Canada.

Earlier this year, I told the Legislature that we will be moving ahead on a multi-faceted strategy that will contain initiatives to address our three elder abuse principles: better coordination of local community services, training front-line staff in various professions and increasing public awareness of this growing problem.

The recent International Conference on Technology and Aging, held in Toronto from September 12 to 14 and financed by this government, provided an opportunity to raise awareness of how technology impacts the lives of our seniors. It was a model of collaboration between the public sector, the private sector and grassroots partners working together, along with seniors themselves, to identify and alleviate barriers and to make technology more senior-friendly.

It is a fact, one we can all relate to, that as we age, we often have to take more medications. For all of us, it becomes vitally important that we understand how these medications interact. That is why our government is working with the Ontario Pharmacists' Association this year to deliver more than 100 seminars on safe medication use throughout Ontario. The Ministry of Citizenship is spending \$100,000 to cover the cost to deliver these seminars, and I'm pleased to report that the response from seniors has been very positive.

The government is determined to help seniors live independently in their own communities for as long as possible. Being able to safely drive their own cars plays an important role in maintaining that independence. It is for this reason that the government of Ontario welcomed the opportunity to partner with the CAA in offering *Shifting Gears*, a driver refresher course for seniors.

I am particularly proud of an ongoing project that honours the living legacy of those people who have made perhaps the greatest contribution of all, our war veterans. Phase 3 of the Dominion Institute's Memory Project, to which this government is providing \$800,000, will assist over 1,000 veterans to bring living history lessons to thousands of students across Ontario. Bringing veterans into the classroom with their dynamic, heroic stories will help Ontario's young people gain a better understanding of and respect for the seniors who have given so much for our benefit and that of future generations.

I am very pleased to announce that today is the International Day of Older Persons, as designated by the United Nations, the 11th anniversary of this important date. As such, it is fitting that today we reflect on and honour the contributions of seniors around the world and the contribution of Ontario's 1.5 million seniors.

Much of what we enjoy in Ontario today is due to the lifetime of hard work and sacrifices made by these seniors, seniors who fought in past wars for the freedoms we so cherish. Seniors have built our roads, taught in our schools, led the development of our communities and our province, and they have paved the way for the wonderful prosperity we all enjoy today. Whether they were born in Canada or moved here from another country, seniors of all cultures and backgrounds have enriched Ontario with their vital and valuable contributions.

Let us also not forget that seniors continue to play an integral role in the growth of our province. As taxpayers, as members of boards and commissions, as volunteers and as community leaders, they are an example to all of us of what can be achieved. Their contributions are enormous, and they deserve our acknowledgement, our total appreciation and our deepest respect.

Today gives us a marvellous opportunity to recognize and celebrate the tremendous contributions that seniors have made and continue to make to the quality of life in our great province.

**Mr Michael A. Brown (Algoma-Manitoulin):** It is indeed a privilege and an honour today to participate in the celebration of the International Day of Older Persons. On behalf of my leader, Dalton McGuinty, and my

Liberal colleagues, I want to acknowledge our debt to older persons in this province.

Ontario must be grateful to those who have gone before us, those who have pioneered, those who have built, and those who have entrenched in Ontario our values and our institutions.

Ontarians should be grateful to our elders who built the farms in our farming communities.

Ontarians should be grateful to those who have built our businesses and our business communities.

Ontarians should be grateful to those who have built and nurtured our schools and built our education community.

Ontarians should be grateful to those who fought for our freedoms and our values in two world wars and countless other peacekeeping opportunities.

Ontarians should be grateful to those who have worked and who have laboured to build this great province. Ontarians should be grateful to those who have survived depressions and recessions and have gone on to build a greater Ontario.

Ontarians should be grateful to our parents and grandparents for building the strong families that are the fundamental building blocks of this great province.

We should be grateful that in the International Year of the Volunteer, our older persons continue to be the backbone of volunteerism in this province. Older persons are the driving force across a myriad of volunteer organizations. From cancer societies to hospital auxiliaries, from Scout troops to Meals on Wheels, from amateur theatre to places of worship, our volunteerism is supported strongly by those seniors who work so hard volunteering in our various community organizations. Seniors are the core and the backbone of volunteerism in Ontario.

We need to be grateful to older persons, and we also need to demonstrate that we are grateful to our senior citizens. We need to provide health and community services so that our seniors can stay in their own homes. The attack on community services and long-term care by this government is unconscionable. I and my colleagues have read into the record thousands upon thousands of names on petitions decrying the attack on senior citizens and other vulnerable persons in this society who are having their home care services taken away from them or diminished. The government does not acknowledge that a large part of their CCAC budget is now devoted to acute care because they cut our hospital budgets, they closed our emergency rooms, and what was designated for long-term care is now being used as acute care in our communities. The government fails to make that differentiation.

If you come to my constituency or any of the constituencies across this province, you will find that there are continual calls to that constituency office asking that we, as members, do something about providing the care they were getting. In one part of my constituency, for example, two thirds of the nursing visits have been cancelled. The rhetoric does not indicate that this

government is grateful for the contributions seniors have provided.

The second great volume of calls to my office and other members' offices relates to the drug formulary. Medications are being delisted for seniors, for older persons who need that kind of care, by this government in an increasing attack on those to whom we should be grateful.

If you are going to be grateful to seniors, and I think that is what we're all about in Ontario, we have to not just chatter about it, spin doctor about it; we have to do something about it. All the rhetoric, all the chatter and all the platitudes will not replace concrete service to the people we should be grateful to.

1410

**Ms Shelley Martel (Nickel Belt):** It's a pleasure, on behalf of the New Democratic Party caucus, to pay tribute to Ontario's seniors today, the International Day of Older Persons, and it is fitting that in a very public way we salute the enormous contribution they have made to Ontario life. Through many years of work and commitment, they have built the public institutions like hospitals, like schools, like colleges and universities, which are so important to the quality of life in Ontario. We salute these seniors, and we urge them to continue to do the important work they do in our communities, providing expertise, providing knowledge, providing support to so many agencies, boards and commissions right across our communities.

But it would be remiss on my part—indeed, I think I would be negligent—if I didn't spend some time today pointing out how recent and not-so-recent decisions by this government really undermine the quality of life of seniors in our province.

I want to begin with the question of housing. Housing is so important to seniors, because too many of them have a meagre pension to live on, and housing costs are a critical issue. What has this government done? Well, those many seniors who used to benefit from our not-for-profit housing program have been denied not-for-profit housing units because this government cancelled the program when they were elected. This government's friends in the private sector are not building decent, safe, affordable housing; they're only interested in building condominiums. So we have thousands of seniors who need decent, safe and affordable housing and cannot get it because of the decisions of this government.

This was the government that took away rent controls so that so many seniors now are trapped in their current apartments because they can't afford to move somewhere else or, if they are forced to move somewhere else, they are spending huge portions of their incomes trying to pay for rent. It's no wonder that more seniors than ever before are now at food banks in the province of Ontario trying to make ends meet.

This is also a government that downloaded housing on to municipalities, and we know municipalities don't have the capital needed to renovate those units, and there's a great fear those units will be sold off. This government

should reinstitute a not-for-profit housing program, bring in real rent controls and stop the downloading of housing on to municipalities.

This is a government that has recently delisted audiology services. How many seniors in our communities cannot afford to pay for these services? I heard the Minister of Health last week say, "There's no problem here; just get them to go to their family doctor and get a referral to an ear, nose and throat specialist and that cost will be covered." Maybe the Minister of Health doesn't know that in northern Ontario right now we already need one ENT specialist in Sault Ste Marie and we need three in Thunder Bay, and we have 32 communities in northern Ontario that need 117 family doctors. People can't find a family doctor to get a referral to a specialist; and if they could, the specialist isn't there anyway. We need more of them in their communities.

This is a government that is so busy trying to cut health services on the backs of seniors that they are putting our seniors at risk: those who need hearing evaluations and those who need hearing aid evaluations. If the government wanted to do something for seniors today, they would reverse the delisting of audiology services.

Another decision by this government: this government has not only frozen the budgets of CCACs; they have in fact cut budgets. CCACs that had deficits last year had those deficits covered. Now they're expected to operate this year at the approved level they received from the ministry last year. So there are cuts all around.

CCACs, like my own, are having to implement programs where seniors are losing their home care, their homemaking services. People discharged from hospital are going to wait a long time before they ever get service, and the list goes on and on. In my community alone, we have a deficit of \$1.8 million that our CCAC has to cover.

What this government has also done is refuse to provide the equity funding this government promised to many communities in 1998. That's what's happening in my community. This minister, Minister Cam Jackson, wrote to me in August 1998, and said, "Starting in 2000-01, and in each of the next five years, the Manitoulin-Sudbury CCAC will receive additional funding based on our equity formula." Minister, they didn't get money in 2000-01, and they didn't get any money this year either, despite your promise. It's no wonder our CCAC cannot fund the home care needs of people in our community.

If you wanted to do something for seniors in long-term-care facilities, you would reinstitute the minimum 2.5 hours of nursing care that your government cut in 1996.

Finally, Minister, if you really wanted to do something, especially since you promised you would do this in 1995—a specific promise made by your Premier—you would bring forward an Ontarians with Disabilities Act to truly protect disabled seniors in the province of Ontario.

JOHN LANE

**Hon Norman W. Sterling (Minister of Consumer and Business Services):** Mr Speaker, I'd like to ask for unanimous consent to say a few words about the passing of a former member of the Legislature, John Lane.

**The Speaker (Hon Gary Carr):** Agreed? Agreed.

**Hon Mr Sterling:** When I came here in 1977, after winning my first election, I first met John Lane, who had been here in the Legislature, elected as the member for Algoma-Manitoulin since 1971. John was a member here until 1987, when the boundaries were shifted and he decided not to run again. I don't believe John ever ran in an election he didn't win for the people in his northern community.

One of the memories I have about John is that he always seemed to be working on a problem for a constituent, be it a small town, a small municipality or some business in his riding. John was known for his diligence in taking care of his constituency problems.

Bill Davis, who, as you know, was a former Premier of our province, at one of the caucus meetings a long time ago singled out John and Ron McNeil as the two members in the government caucus who most frequently wrote to him about problems in their constituencies. As you know, Ron was here until 1990, having served for about 30 years.

As we have progressed in the Legislature and through a number of elections, this place has become much more volatile in its membership. I would say that perhaps John Lane was one of those individuals who could have, and did to some degree, overcome that volatility and maintained his status as an MPP in spite of the fact that his party's fortunes perhaps weren't as good in some elections as in others—I refer to 1975, when the government went from a majority to a significant minority, and again in 1985, when this party lost some favour with the electorate.

John was known in his community for seriously taking on legitimate requests of his constituents and doing it in a style and manner which commanded attention from government ministers and from people who listened to him.

1420

John was a quiet man in many ways. I don't know how often he spoke in this Legislature. But when John did believe in something, he did not hesitate to speak up among his colleagues in caucus or let a minister know that in fact he was displeased, and that often crossed party lines.

John Lane's hallmark was that he could work with almost anybody in order to overcome an obstacle when he needed some money in his riding to build a bridge or a highway or a school or whatever it might be.

John was very much a proponent of northern Ontario. He was, I would say, one of the most ardent supporters of the creation of the Ministry of Northern Development and Mines and became the first parliamentary assistant to that portfolio.

I visited Gore Bay on a couple of occasions. Gore Bay is not really a very large metropolis. Mike Brown, who perhaps will be saying a few words about John, may be able—

**Mr James J. Bradley (St Catharines):** It's bigger than Manotick.

**Hon Mr Sterling:** I don't think it's bigger than Manotick, with respect.

At any rate, John really felt at home up north. When you visited with him, you could see the command and the respect he had when people came to talk to him.

What I would say mostly about this man, who in spite of really not having great health when he was here and particularly after he left here, was that he continued to represent, with really a lot of energy, the interests of his constituents. He had integrity, he was of the old-school political stripe, but he sure got the job done. I know his constituents, who of course didn't have as much contact with him in recent years when he had failing health, will remember the tremendous contribution he made to his community. John did it with the utmost integrity, honesty and straightforwardness.

We all could take a lesson from the life of John Lane in the representation of our constituents.

**Mr Michael A. Brown (Algoma-Manitoulin):** It's indeed a privilege to speak for Ontario Liberals with regard to my friend John Gordon Lane and his passing this past summer on August 9.

John was born on Barrie Island. Just to help out my friend across the way, Gore Bay is sort of a suburb of Barrie Island. Barrie Island is a municipality. It's an actual island just off the edge of Manitoulin, connected by a causeway. I say that because the Lane family, of which John was an important part, came from Barrie Island. His brother Larry became the mayor of Gore Bay after John. There was a subsequent mayor or two in there, but his brother became the mayor of Gore Bay. His son Ron, who we all know is the sheriff of the great district of Manitoulin, resides in Gore Bay. So in many ways, many Manitouliners would see Gore Bay as the suburb of Barrie Island.

John was a farmer on Barrie Island. He worked on Barrie Island for quite a number of years until he became associated with Co-operators Insurance. He later became the district manager for Co-operators Insurance. During all this time, though, he had a strong involvement in community affairs. John was involved in virtually everything that was necessary to make a small community go. He was involved in the Rotary Club. He was involved in the founding of the Manitoulin Livestock Co-op. He was particularly proud of being involved at the Flower of Hope school, which he and Renie Noble took a great leadership role in.

So John was a very well-known figure in his community. He was involved on Barrie Island council. Later he was involved on the town council of Gore Bay. He was then the mayor of Gore Bay. He contested the 1971 general election for the Progressive Conservative Party against some other names that people around here

might know: Roger Taylor, the late mayor of Elliot Lake, and Austin Hunt, the present reeve of my home community, the township of Billings and Allen East. John was the victor and went on to win, I think, five general elections.

John retired in 1987 and I succeeded him in that election. I didn't beat him; I succeeded him. He chose not to run. I believe he was 71 at the time of his retirement and certainly had provided great service to the people of the riding of Algoma-Manitoulin, which at the time included communities like Elliot Lake, Killarney, Espanola, Spanish and all the communities on the island of Manitoulin.

John is remembered, as my friend across the way says, as somebody you could go to. If there was a problem, a legitimate problem, John would do his best to have it fixed. When you went to John Lane, you knew he did his best to do that.

In my time on Gore Bay city council—city council? town council; the member for Nickel Belt is laughing about that—I can remember various initiatives of the community, not just the town council; for example, when the golf course was being built in Gore Bay. We'd made the appropriate Wintario applications. Somehow or other, even though we had met all the criteria—I was kind of in charge of the funding—we were being frustrated by the government not sending their cheque in a reasonable time frame. I can remember John on one occasion actually going over to finance himself and walking the cheque back from finance so that we could have that and the community could continue.

He had a strong interest in northern affairs. He was one of the members who believed that northern affairs was a necessity and was instrumental in the foundation of that. I think John always saw himself as somebody who understood that northern Ontario needed the strong representation of a strong Minister of Northern Development and Mines.

John was a friend of mine. I knew John. I guess I came to Manitoulin to live about three years after he was elected, and at a number of social events, both when he was the member and after, everyone, not just me, would consider John Lane to be their friend and somebody who would do his utmost, regardless of what political stripe you might be, to do whatever he could to make the community a better place. For example, I was just thinking about this the other day. At one event I was at, John said, "You know, Mike, I've just been out to British Columbia and I visited with Stan Farquhar." He took the time to visit with his predecessor in British Columbia, Stan Farquhar, who was, by the way, a Liberal. He visited with Stan and Mamie and reported on Stan's health and was the greatest of friends. I think the wonderful thing about that part of the constituency is that people honour somebody who steps above partisan politics and looks after the interests of the people he serves. John was certainly one of those people.

I want to give our condolences to wife, Leila; his daughter, Sharon; his son, Ron; his stepdaughter, Linda,

and her husband, Max Trick; his stepson Craig McDougall and his stepson Bob, and all the grandchildren who are involved in that great family. I want to express our sympathies to them. We have lost a great friend and the community of Ontario has suffered a great loss in the loss of John Lane.

**Ms Shelley Martel (Nickel Belt):** I appreciate the opportunity on behalf of the New Democratic Party caucus to remember John Lane.

I wish that I could be in a position to recount some personal stories about John Lane, but he was retiring in 1987 at the same time that I was elected. It is true that he was a sitting member in this Legislature when I was a legislative page at the age of 14, but that's too far back for me to remember now too. Frankly, as I recall, the night sittings at that time were pretty raucous and pretty loud and I don't really remember some specific interventions by that particular member from that time, so I had to resort to calling a former member who was here with John Lane, and he gave me some information to share with you.

1430

My father was here the whole time that John Lane was here, which was some 16 years. He sat almost directly across from John Lane, and were we here under different circumstances, I would actually be giving my condolences to John Lane for having to sit across from Eli for those many years. I think that would have been trying indeed. But he did say a couple of things.

Firstly, John Lane could be a very fierce and vocal defender of government policy. On those occasions, though, when he believed the government was wrong, he was sensitive and sensible enough to lobby for some change.

When my father was Comsoc critic, there were some very heated exchanges in this Legislature about the adequacy—or inadequacy, obviously, from the point of view of my dad—about the level of that benefit. John Lane, however, on many occasions in this House intervened and said that the benefit level was in fact adequate. However, when a family member who was blind found that it was not so easy to live on Comsoc's disability benefit, John Lane told my father that there was some truth with respect to what he had said, and he proceeded from that point on to lobby internally to try and get that benefit level raised, obviously not only for his family member but for other people in Ontario who were or who became disabled. My father very much appreciated that about him.

Secondly, he was an advocate for his constituents and he would take on government ministries when necessary if he thought his own cabinet was wrong. He was also very clever to engage opposition politicians in his fight so that they could do the upfront work in question period to raise these issues on his behalf.

There was a particular incident that involved a number of high school students from Killarney whose parents came to see John Lane because at that time they were travelling at least 50 miles, one way, from Killarney to

Sudbury to go to high school. The parents proposed that the students should go to high school in Espanola, which would have been a one-way trip of about 14 miles. The dilemma was that in order to do that, they would have to access Killarney Provincial Park—there were some very serious restrictions about development in the park—and a causeway would also have to be built to provide a link to Espanola.

So John Lane came to see my father. They talked about the students, they talked about how difficult it would be to travel that far, and they decided that my father would do the upfront work, asking questions in the Legislature of the Minister of Transportation and the Minister of the Environment, and the two of them together would also go lobby the same ministers for change, which they did. It was unfortunate, for a number of reasons which I won't go into, that the causeway link was in fact never built. I won't attribute that to either of the two who were involved in that debate, but I do want to point out that in this case, the kids came first. John was very concerned about that, wanted that road built despite concerns that were going to come from the environmentalists, and really did try to make that happen.

John also realized that all politics are local and he was very successful over the years in getting things in his riding that would assure his election win. He was particularly adept at getting blacktop for most of the roads in Manitoulin, side roads included. In fact, he was so adept at achieving this that my father got to calling him Four-Lane John, and he used to kid him that there was so much blacktop on the island that the island was in danger of sinking. But not only did my father kid him; John Lane recognized how important that was, because in more than one election campaign his signs read "Vote 4 Lane."

He also very much understood the north, and previous speakers have talked about the contribution he made when the bill dealing with the creation of the Ministry of Northern Affairs was debated. It is true that he was very influential during the course of that debate, in a public way and behind the scenes, and, with other opposition members, made sure that that important ministry was created. He recognized, as did other members from northern Ontario, that there are differences in the north, that there are special economic and social concerns that have to be dealt with. It was very important to him that a ministry specifically concerned with the needs of northern Ontario be created, and it was. I must say that during the time in our government I was a beneficiary of the passage of that bill, and so I appreciated that.

Finally, John Lane dedicated some 45 years of his life to representing northerners at various levels of government. He was elected in an incredible number of elections, 34 in total, which I think must be a record somewhere. I think that speaks volumes about the level of his commitment to public life, to his riding, to his community and to the north in general. I also think it speaks a great deal about the man himself that his

constituents, over that many elections, would continue to elect him to represent them.

In closing, I would like to extend my condolences to the family, and I would like to thank them for sharing John Lane with the people of Ontario for so many, many years. I think we will remember his valuable contribution as an MPP in the Legislature today, but it is true that his constituents in his former riding will benefit from all of the work that he did for many, many years to come.

**The Speaker:** I thank all of the members for their kind comments, and I will ensure copies of today's Hansard are sent to the Lane family.

### CONTEMPT OF PARLIAMENT

**The Speaker (Hon Gary Carr):** The member for St Catharines has given the required time for a point of privilege.

**Mr James J. Bradley (St Catharines):** Thank you very much, Mr Speaker. I wrote to you about the point of privilege pursuant to standing order 21(c), and I wished at that time to serve notice that I intend to move a point of privilege this afternoon regarding the Environmental Commissioner.

It will be my submission that the Ministry of the Environment has perpetrated a contempt of this Legislature by impeding and obstructing an officer of this House; namely, the Environmental Commissioner.

What is it exactly to be in contempt of Parliament? Let me quickly cite two references from the 22nd edition of Erskine May.

Quoting from page 108 of Erskine May on contempt, "Generally speaking, any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt even though there is no precedent of the offence."

On page 125 of Erskine May, 22nd edition, under the subtitle "Obstructing Officers of Either House," I read, "It is a contempt to obstruct or molest those employed by or entrusted with the execution of the orders of either House while in the execution of their duty."

Further, as indicated, "Both Houses will treat as contempts, not only acts directly tending to obstruct their officers in the execution of their duty, but also any conduct which may tend to deter them from doing their duty...."

In the recently published House of Commons Procedure and Practice by Marleau and Montpetit, it is similarly affirmed that it is such a contempt of Parliament to stand in the way of an officer of Parliament who is doing his or her duty. Let me cite one reference from Marleau and Montpetit on page 67. This refers to the ruling of M<sup>me</sup> Sauvé, who was Speaker in 1980, when she wrote, "While our privileges are defined, contempt of the House has no limits. When new ways are found to interfere with our proceedings, so too will the House, in

appropriate cases, be able to find that a contempt of the House has occurred."

Finally, section 46 of our own Legislative Assembly Act sets out the jurisdiction of this House to inquire into and punish, as breaches of privilege or as contempt, a number of matters, including, "Assault upon or interference with an officer of the assembly while in the execution of his or her duty."

The case of privilege that I rise on stems from the report tabled in the House today by the Environmental Commissioner, who is an officer of this Legislature. It is the mandate of the Environmental Commissioner to review how provincial ministries carry out the requirements of the Environmental Bill of Rights and to report to the Legislative Assembly annually.

In his annual report, called Having Regard, the Environmental Commissioner's Annual Report 2000-01, the commissioner states the following:

"In February 2000, MOE proposed further amendments to O.Reg. 347 to strengthen the rules for characterizing wastes as hazardous by adopting the lists and tests in the US rules. The changes, finalized in October 2000, will improve environmental protection, because they will keep more potentially hazardous wastes out of non-hazardous waste landfills. But the proposed amendments did not strengthen Ontario's rules for handling and disposal of hazardous wastes. Many stakeholders commenting on the proposals advised the ministry that the changes were a positive step, but unless they are accompanied by the tougher US standards for disposal, the large volume of hazardous waste flowing into Ontario from the US would continue unabated."

#### 1440

The commissioner goes on to say that the Ministry of the Environment continued to tell the Environmental Commissioner of Ontario "during 2000 that it was reviewing the need for land disposal restrictions. In November 2000, however, the ministry announced that 'the province has now fulfilled its six-point action plan' and in a February 2001 report to the ECO, MOE made it clear there would be no further ongoing review."

The commissioner goes on, "The ECO concludes that there is still a major need for improvements in the policies regarding hazardous waste. The Safety-Kleen landfill remains a magnet for US wastes. Given capacity pressures, lack of alternative disposal options, public concerns and recent environmental problems, the ministry should undertake a more comprehensive review. Many of the issues raised in recent EBR applications remain unaddressed. For example the ministry doesn't have adequate data about or regulation of the significant amounts of hazardous waste disposed of on-site, or discharged into sewers."

Finally, the Environmental Commissioner says, "The ECO believes MOE should address these problems. The ministry should examine why US imports of hazardous waste are rising, and should consider adopting the US rules such as land disposal restrictions and extended liability. The ministry should also put more effort into

pollution prevention, to reduce the generation of hazardous waste in Ontario. Finally, the ministry should be more open and forthcoming about the status of its policy reviews. MOE gave the impression with its six-point action plan that the ministry was going to overhaul its hazardous waste management regime. Instead, MOE undertook only limited measures and misled applicants and the ECO about the scope of its review. Actions such as these undermine public confidence in the ministry. In order to restore public confidence, MOE should carry out a broader and more transparent review of its overall approach to hazardous waste management."

Now, the Environmental Commissioner's report focused in part on the environment ministry's misleading of the Environmental Commissioner, as seen in the following statement: "Finally, the ministry should be more open and forthcoming about the status of its policy reviews. MOE gave the impression," as I had mentioned, with the six-point plan that it was doing so.

I find the very fact that an officer of this House, a person selected by this Parliament and sworn to faithfully discharge his duties to this House, has taken the extraordinary step of advising us that the authority of his office was, to quote from the commissioner's own report, "misled ... about the scope of [the ministry's] review" and that actions such as these undermine public confidence in the ministry, shows the Ministry of the Environment has committed contempt against this Legislature, as well as the people of Ontario.

To mislead the Environmental Commissioner regarding protecting the safety of the people of Ontario cannot be a more serious misappropriation of the powers of Parliament on the part of the government. I submit these matters to you, Mr Speaker, for your urgent and serious consideration and trust that you agree with me that this deception is a *prima facie* case of contempt.

**Hon Janet Ecker (Minister of Education, Government House Leader):** I listened very carefully to the honourable member's alleging that there has been some sort of obstruction. We have been, as you know, Mr Speaker, down the road before with the opposition, where they make these allegations. They make great, grand claims, and investigation subsequently proves them not to be matters of contempt of the Legislature.

Clearly, there would appear to be a disagreement between the commissioner and ministry officials about the scope of a review, the scope of analysis, the scope of work. Is it comprehensive enough? Is it what the commissioner thought was going to happen? There clearly would appear to be disagreements between them. One of the reasons we have a commissioner is to make recommendations to the government, which are examined and put into place. Disagreements around the scope are not new, but that's hardly, I would submit, a case of obstructing the commissioner from doing his job.

Clearly, he had access, he had information. He has made a judgment on that. He has made recommendations which the Minister of the Environment will take very, very seriously. So I hardly think that that constitutes

anything like obstructing an officer of this Legislature from doing what they are charged to do.

**The Speaker:** I thank the member for his submission and the government House leader. I will reserve my ruling and will read thoroughly what the member said. I will also have an opportunity to read what the Environmental Commissioner said. I have not had an opportunity to do that, but I will do so and report back to this House.

## ORAL QUESTIONS

### EDUCATION

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of Education. Minister, in this Legislature and on the road, you've been telling us that public education is in great shape, your reforms are working and things are getting better day in and day out.

It turns out that you're saying something entirely different to your caucus. I have a copy of your confidential briefing, called the back-to-school plan, a presentation to caucus by the Minister of Education. In this you acknowledge, quite rightly, that you have created a mess in public education. You admit that you are underfunding our schools; you admit that schools are literally falling apart; you admit that you are giving boards less for busing today than you did in 1991; you admit that there aren't enough textbooks in our schools and you admit that public satisfaction has plummeted to 37%.

Minister, you are being honest with your caucus when it comes to the state of public education. Why won't you stand up now and be honest with the Ontario public?

**Hon Janet Ecker (Minister of Education, Government House Leader):** With all due respect to the honourable member, I thought his research department was better than the Toronto Star, who go out and get something they claim to be a secret document and then say it's evidence of some great secret strategy.

This government has been very up front about the need to change how past governments funded school construction and school capital. Of course, there's a problem there. That's why months ago we went out to the school boards and said, "Give us the data so we can fix the problem because past governments didn't."

Are there problems with student learning? You bet there are problems with student learning. That's why this government said we had to change the curriculum and we had to test; because we knew that our kids weren't getting what they needed.

You didn't think testing was necessary. We said it was. We said it would show the problems. We're putting in place strategies to fix it. In June, I announced the early reading strategy to fix the grade 3 test. Where have the opposition and the Toronto Star been?

**Mr McGuinty:** Do you want to know where I've been, Minister? I've been with Ontario parents, Ontario

students, Ontario teachers and our public school boards all along. That's where I've been.

Let me read some more from your confidential caucus presentation. It says, "Parents see there is a lack of textbooks and classroom supplies in Ontario schools." It says one third of students failed the grade 10 literacy test last year; low test results anticipated for grade 9; minimal improvement in grade 3 testing.

Finally, do you know what it says? In terms of the plan to address the plight that our children find themselves in when it comes to public education—I guess maybe this is the more important point here—it says the minister asked in the final page of her presentation, "Is the policy, is the vision, still valid?"

Let me tell you, Minister, you've had six long and painful years and this has been your legacy: crowded classrooms, demoralized teachers, and students who aren't performing up to par. We've got crumbling schools and we've got a shortage of textbooks. When are you going to finally admit your reforms aren't working and you're selling our kids short?

**Hon Mrs Ecker:** This really defies belief. We went out and said we were going to do a grade 10 literacy test because we knew that the kids in our high schools didn't have the literacy skills they needed.

The opposition said that wasn't necessary. They said everything was just hunky-dory. We knew that wasn't true. That's why we improved the curriculum, that's why we put that test in place for grade 10, so we could fix the problem, so we would have actual accurate data.

We have the data. It proved we were right in the changes we are making. We're putting in place more resources for remediation and extra help for students on the grade 10 literacy test. That's what a government committed to improving public education does: they go out and measure, find the problems you guys didn't fix when you were in government and then put in place the strategies to fix them. We have been very open about that. We had public notices about that. We told parents where we were coming from on this, because we believe in being open with them, contrary to the opposition.

1450

**Mr McGuinity:** Madam Minister, you can muster as much bluster as you choose, but the fact of the matter is that you have been on the job over there for six long years. Any problems connected with public education in Ontario today rightfully belong to you. That's the state of public education.

Do you know what you say your plan is in this confidential presentation to your caucus? Under "Political Objective," it says, "Turn down the noise on labour and financial issues."

Do you know what I'm asking you to do now, Minister? I'm asking you to ignore your political concerns for your government's ailing political fortunes and do the right thing for our children. Instead of focusing on spin, I'm asking you to turn on the substance. I want you to invest in public education. I want you to support our students, I want you to support

their teachers and I want you to support public education by expressing your unreserved commitment to it. That's what's lacking in public education today. You've got the data. We've got the tests. The only thing that is missing in public education is this government's commitment to it.

**Hon Mrs Ecker:** Let's be very clear: the data, the standards this member is now using are standards that party disagreed with. They said you didn't need to change the curriculum, you didn't need to set higher standards, you didn't need to have accountability frameworks. We know you did.

He makes great fun of the phrase, "Turn down the noise on labour issues." Do you know what? That phrase is what parents said to us. That's why we introduced back-to-work legislation in Hamilton. Did they support it when parents said, "Turn down the noise"? No, they didn't. They played politics. They told parents they would help solve the issue, and then they reneged here in the House. When we brought forward legislation that would say there would be three-year agreements to have more labour peace, because parents said, "Please make that happen," did they support that? No, they didn't. So really this great self-righteous indignation the honourable member has is a laugh.

## ENVIRONMENTAL PROTECTION

### **Mr Dalton McGuinity (Leader of the Opposition):**

This question is to the Minister of the Environment. Today, the Environmental Commissioner of Ontario filed his annual report with this Legislature. I've only been here 11 years now, but it contains some of the most stinging, damning indictments and language I have ever seen in a report submitted to this Legislature.

Let me tell you about one of the things it says. On the matter of the Oak Ridges moraine, the commissioner says as follows: "The ministers also suggested that municipalities and voters are responsible for protecting the moraine through local planning decisions. This statement is deceptive and factually incorrect."

On the matter of hazardous waste management in Ontario, the commissioner makes this finding: "MOE gave the impression with its six-point action plan that the ministry was going to overhaul its hazardous waste management regime. Instead, MOE undertook only limited measures and misled applicants and the " Environmental Commissioner of Ontario.

Minister, how could the people of Ontario trust you if we have a stinging indictment like this, talking about misleading and putting forward crassly incorrect statements?

**Hon Elizabeth Witmer (Minister of the Environment):** To the Leader of the Opposition, if you had the opportunity today to listen to the commissioner as he gave his report, he did indicate on the issue of the Oak Ridges moraine that obviously he was pleased with the consultation that was taking place at the present time and that he was looking forward to some very positive

outcomes. As you would know yourself, it took tremendous courage for the Minister of Municipal Affairs to embark on the review of the moraine and allow everyone in this province the opportunity for input.

On the issue of hazardous waste, I would remind the member opposite that this government has moved forward with the overhaul of the hazardous waste regulations and framework like no other government before them. We now have the toughest hazardous waste regulations in the history of this province, and we are—

**The Speaker (Hon Gary Carr):** Supplementary?

**Mr McGuinty:** I'm just reading the report filed by the Environmental Commissioner. On the Oak Ridges moraine he uses words like "deceptive and factually incorrect." On the matter of hazardous waste management, he talks about "misleading the applicants" and the Environmental Commissioner of Ontario himself.

Then, Madam Minister, on the matter of provincially significant natural heritage areas, protected lands, the Environmental Commissioner says, and I quote from page 137, "The public was seriously misled" because of an unannounced change in the planning process. "As a result of the ministries' failure to provide interim protection, almost 600 mining claims were staked in the proposed protected areas."

In this report so far I've found one reference to "factually incorrect," two references to "misleading" and one reference to "deceiving." How can Ontarians trust a government that is found by our Environmental Commissioner of Ontario, an impartial, objective officer of this Legislature—how can we trust you, Madam Minister, to protect our environment when the Environmental Commissioner uses words like "misleading" and "deceiving"?

**Hon Mrs Witmer:** Let me tell the Leader of the Opposition opposite that we very much welcome the report that has been provided. We take all these recommendations very seriously. Our government has taken tremendous steps in this last year in order to strengthen environmental protection in the province.

As the member opposite full well knows, the report that we have before us today is a report that encompasses what happened in 2000 and 2001 until the end of March. Also, if you take a look at the data regarding hazardous waste, that data actually was compiled during the period of 1994 to 1998. So if you take a look at what the government's done on the Oak Ridges moraine, on what we've done to move forward in the way of improving air quality in the province, whether it's the electricity sector, the transportation sector or the industrial—

**The Speaker:** I'm afraid the minister's time is up. Final supplementary.

**Mr McGuinty:** Madam Minister, I'm not sure you appreciate exactly how serious the findings are that have been made by the Environmental Commissioner of Ontario. He's using language, Madam Minister, that if I weren't quoting, I'm sure the Speaker would call me as being out of order. He says that you're factually incorrect, that you are misleading and that you are deceiving

the Ontario public. I'm quoting the Environmental Commissioner of Ontario. That is what he is saying.

Madam Minister, if you look up "deceiving" in the Oxford Modern English Dictionary, what it says is that to deceive is to make a person believe what is false; it is to mislead purposely. That's what the Environmental Commissioner of Ontario is saying.

Again I ask you, Madam Minister, how can you expect Ontarians to look to you as the champion of our environment, as somebody who's standing on guard for not only this generation but for generations yet to come? How can we have any faith in you whatsoever if our Environmental Commissioner is charging you with misleading and deceiving?

**Hon Mrs Witmer:** Obviously the leader opposite is choosing to quote from this book as he sees fit. Maybe we want to take a look at where it says:

"Staff at the prescribed ministries are generally co-operative in providing information when it is requested...."

"The ECO makes monthly requests for information to the Ministry of the Environment's EBR office through the manager, which saves time for staff at both ends. In 2000/2001, the EBRO staff have been consistently cooperative, and responses to ECO requests were thorough and informative."

He also goes on to say, "In this reporting year...the ECO is pleased to report that MBS and the Ontario Realty Corp staff made significant efforts to improve their co-operation with the ECO and have submitted a comprehensive EBR report for 2000/2001."

To the leader opposite, you can take a look at this report and you can see in here that there is an individual who has been charged—

**1500**

**The Speaker:** Order. The minister's time is up. New question, the leader of the third party.

**Mr Howard Hampton (Kenora-Rainy River):** My question is to the Minister of the Environment. Minister, today the Environment Commissioner had to admit that he cannot assure Ontario citizens that the air quality in our province is going to improve at the same time that the Ontario Medical Association tell us that thousands of Ontario residents are dying due to air pollution.

The Environment Commissioner is forced to admit that he can't see that it's going to improve, but he says it could improve, it would improve if your government required that coal-burning generating stations like Nanticoke and all the others in addition to Lakeview stopped burning coal. In the interests of cleaner air, Minister, will you order them to do that?

**Hon Mrs Witmer:** I find it very interesting in listening to either the Leader of the Opposition or the leader the third party how they very selectively take quotes from the Environmental Commissioner's report, how they very selectively take information from his press conference this morning. If you want to be totally accurate, the Environmental Commissioner also made reference today, this morning, to the fact that part of the impact on air quality this year was the weather.

However, having said that, we all know everybody in this government knows that we must take steps to improve air quality in the province. We also know that 50% of air pollution comes—

**The Speaker:** Supplementary?

**Mr Hampton:** Some of us were surprised when we heard Ronald Reagan blame air pollution on the birds. Now we have the Minister of the Environment in Ontario saying it's the weather. Minister, it's not the weather. The fact of the matter is you have a ministry that isn't doing the job of protecting Ontario's environment for the people and that's what the Environmental Commissioner is trying to tell us and tell you.

He also acknowledges in his report that you still don't have enough enforcement officers out there to do the job. He's forced to admit that for all of Ontario you have only 30 inspectors. He tells us, over and over again, that your government cut the enforcement officers, your government cut the testing labs, your government cut the number of inspectors. He tells us that there's not a good enough job being done.

Minister, would you admit now that protecting the environment is more important than tax cuts for your well-off friends and commit to the people of Ontario to restore the enforcement officers, to restore the government testing labs so you can begin to do the job of protecting the environment?

**Hon Mrs Witmer:** It's unfortunate that the leader of the third party continues to misquote, in many ways, the information that has been provided by the Environmental Commissioner.

Let's talk about air quality and let's talk about enforcement staff. We have hired more than 130 new enforcement and investigative-related staff since the year 2000. Remember, that report goes until the end of March 2001.

Let's also remember that ministry investigators have laid 23% more charges in the first six months of 2001. The number of charges laid in 2000 increased by 48%. The orders issued increased by 312% from 1999 to 2000. The tickets issued increased from 183 in 1999—

**The Speaker:** Order. The minister's time is up. Final supplementary. Order. The minister's time is up.

**Ms Marilyn Churley (Toronto-Danforth):** Minister, talk about selective quotations. You're not telling us the numbers for the years before that.

I want to ask you about the Safe Drinking Water Act. The Environmental Commissioner's report points out that a safe drinking water act would give Ontarians a clear statutory right to clean and safe drinking water. He also says such a bill would give our citizens the right to sue a violator of the drinking water standards simply for violating those standards and it would address the causes of drinking water contamination. Your new regulations don't cover any of these, but you do have a chance to remedy that. On October 11, Bill 3, my Safe Drinking Water Act, will come up for second reading in this House again. My question, Minister is this: will you ensure that your members support the safe drinking water bill this

time or will you do what they did the last time—support the bill and kill it by not allowing it to go to committee?

**Hon Mrs Witmer:** If we take a look at the drinking water protection regulation in this province, we will see that there's a quote from the Quebec government stating, "Following the example of the United States and Ontario, the new Quebec regulation requires owners of distribution systems to perform minimal treatment of water which comes in whole or part from a source affected directly by service water."

Again, if we take a look at the report from the Sierra Legal Defence Fund in January, 2001, they gave us a mark of B, the highest in the country. Ken Ogilvie of the environmental watchdog Pollution Probe called the new law, "A good piece of work, because it transforms what were guidelines into legally binding standards."

I can assure you that the new act that we have in place is a very important step as we move forward to ensure people's health and safety.

## EDUCATION

**Mr Rosario Marchese (Trinity-Spadina):** My question is to the Minister of Education. Minister, I know it's hard for you to admit that your education policies are failing. It was M. Snobelen, I remind you, who manufactured a crisis in our schools while denying it all along. Now, by your own secret admission to your colleagues, you acknowledge that our public schools are crumbling. Won't you, mon amie, tell us publicly what you are felling privately and admit that your education policies are a bust?

**Hon Janet Ecker (Minister of Education, Government House Leader):** It's hardly a case of anything being secret. We've been talking publicly about the problems, that past governments had let the capital construction, the school stock, fall into disarray. That's why months ago we started a survey; we publicly talked about the need for that data so we could help schools to fix the aging school stock. We've been public about that. We've been public about the need for doing a literacy test and when we do it, we announce the results publicly. We ask parents what their views are on these matters. We publicly state what the problems are. We've gone out and put in place strategies to try and fix the problems. This government is the only government in this House in my lifetime that had the courage to actually go out and do that research, to take that data, to put it out publicly to prove that we needed to do a better job with our education system. That's hardly a secret strategy.

**Mr Marchese:** Minister, you've confessed through this confidential government document to the erosion of quality in our public system. Public confidence is floundering for obvious reasons that you state in the document. Public schools are crumbling under you—not under us, but under you. The textbooks are in short supply and people know it. You know it. And people are tired of you beating up on teachers.

I remind you that your government collects from one single taxpayer and these taxes go to one money pot. So I say to you, when are you going to stand up for public education and, quite frankly, for yourself and tell the Minister of Finance that the \$300 million he wants to give to the private schools are needed in our public system and they're needed desperately? When are you going to stand up for yourself, if no one else?

**Hon Mrs Ecker:** I am very pleased, and this is a red-letter day, that the NDP finally recognizes that there's only one taxpayer. I think that's an important thing. We understand that. That's why we stopped the incredible increases in education property taxes that were such a problem for senior citizens and those on fixed incomes. We changed the way we fund education. We've increased the amount of money for public education. It used to be \$12.9 billion when the opposition party was in power. It is now \$13.8 billion, an increase greater than the growth of enrolment. We put in over \$360 million in net new money just this year alone.

Should we make more investments in public education? You bet we should. We recognize that. That's why economic prosperity is so important to us, so we can have the revenue and keep investing in public education and health care instead of letting it deteriorate, instead of letting it be at risk like that party did when they were in government.

**The Speaker (Hon Gary Carr):** Stop the clock. A point of privilege from the member for Windsor-Sinclair.

Just before you stand up, I hope the point of privilege relates to question period. I will listen very carefully. If it does not, I will refer you to the Speaker's ruling of April 21, 1993, which says points of privilege should be raised after, instead of inside, question period. So if it relates to question period, I will hear your point of privilege, but I will be very quick. Could you get very distinctly to why we should be doing it during question period. Otherwise I would ask the member to do it after question period. Does it relate to question period?

**Mr Dwight Duncan (Windsor-St Clair):** Mr Speaker, I'll defer that.

1510

## ONTARIO ECONOMY

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Acting Premier. We have just learned that a media advisory was put out by the Office of the Premier, advising Ontarians that the Premier will be outlining measures the provincial government plans to take following the events of September 11, 2001, in the United States. He's going to provide us with this information by way of a video news release at 4:30 pm today. I understand that one of the measures the Premier is announcing is an accelerated plan of tax cuts.

Minister, you will know, as someone who has actually been present in the Legislature recently, that we put forward a number of positive proposals with respect to strengthening our economy post-September 11. We've

asked for an economic summit. We put forward a proposal to protect our exports to the United States. We've asked for an updated fiscal and economic outlook.

Do you not think that in the circumstances the appropriate thing to do would be for the Premier to be here to put that plan forward so we might debate it in this Legislature?

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet):** It's very important, certainly for our government and our leader, to express to the Ontario public and the Canadian public as a whole how important the future of this province is. I must say to the Leader of the Opposition, though, that I think he's going to have to stay tuned, along with the rest of the public, later on to hear.

But since he raised it, I'd like to mention that what we have here is a Premier who is going to indicate, from my perspective and many people's, a great indication of his leadership. What's been sadly lacking today in Canadian politics is leadership for this country. I believe that over the last few weeks I've had many members of the public come up and say to me, "Thank goodness we have Mike Harris there to lead us in Ontario, because he is someone who will show real leadership for this province."

**Mr McGuinty:** Minister, obviously I don't share your confidence in the Premier. We have a matter of the utmost urgency before us. Our economy was in a serious downturn prior to September 11. September 11 was a cataclysmic event in our economy. You know just how heavily dependent we are on the American economy. You know how important it is for us to get it right when it comes to the strategy we're going to put in place to arrest this downward turn and make sure we're protecting jobs and retirement savings for our families. That's ultimately what this is all about.

We think the most important thing you could begin by doing is introducing a fiscal and economic update in this House. So I ask you, how can the Premier go on Ontario-wide TV with a cassette announcing a fiscal strategy when he should be in this Legislature giving us all the opportunity to debate the best approach to making sure we have a strong economy?

**Hon Mr Tsubouchi:** I must say I'm a little astonished. I think we've indicated and shown through our government over a period of years that we've certainly taken a very conservative approach to the finances of this province. As a result of our measures, we've been able to balance the budget. We've been introducing tax cuts for the people of this province. We've reduced red tape. That certainly has had a very positive result, so I think taking the conservative approach is very important.

I remind the Leader of the Opposition, though, what he said back on March 1, 1998, CKCO TV. He said, "I think people understand that when we"—being the Liberals—"make promises, generally that calls for a tax hike." Well, you know what? You're out of sync with the rest of the world right now. I think we've positioned the province to be in the best position in this entire country to deal with any type of unforeseen circumstance.

## TOURISM

**Mr Norm Miller (Parry Sound-Muskoka):** My question—

*Interjections.*

**The Speaker (Hon Gary Carr):** The member for Hamilton East, come to order, please.

The member for Parry Sound-Muskoka. Sorry for the interruption.

**Mr Miller:** My question is for the Minister of Tourism, Culture and Recreation. Tourism is a significant industry in my riding of Parry Sound-Muskoka.

I listened with interest to your statement in the Legislature last week about your ministry's response immediately following the events of September 11. I also know that you called a summit of tourism leaders last Friday, which includes Grace Cerniuk from Resorts Ontario as well as representatives of other tourism organizations.

Minister, could you inform the House what the outcome of that meeting was and what you are doing to help tourism recover across our province?

**Hon Tim Hudak (Minister of Tourism, Culture and Recreation):** I appreciate the ongoing interest of the member from Parry Sound-Muskoka in the tourism industry.

As he mentioned, we had a summit of industry leaders on Friday—more than 20 from district marketing organizations as well as from industry associations—to talk about how tourism has been directly impacted by the events of September 11.

I had the pleasure of travelling to 101 different events this summer across this province, impressed by the quality of the people in the industry, the quality of our attractions, and reinforced in the meeting on Friday as well, the resiliency of the tourism industry. In fact, very optimistic around the table that despite difficult times, we will bounce back and get people moving again in the province.

We heard in that meeting support for our actions to date: reassuring travellers to continue, the extending of hours of operation in our centres and our 1-800 line, and getting weekly bulletins of information out to tourism stakeholders on both sides of the border. Very good support and advice on further execution of our plan to gather information to adjust our marketing strategy and to continue to get folks to travel across this—

**The Speaker:** Supplementary?

**Mr Miller:** I know tourism operators in my riding want to get the message out that they're open for business, and certainly the last couple of years have been boom years in Parry Sound-Muskoka, thanks in large part to the policies of this government.

We want people to come to our area and see the gorgeous fall colours, stay at our hotels and resorts, eat in our restaurants and shop in our shops.

We have heard repeatedly from the Premier and from leaders in New York that it is important to carry on with our lives in the wake of this terrible attack.

In addition to what you have already announced, what other plans have you to assist the tourism industry in Ontario?

**Hon Mr Hudak:** As mentioned, we heard strong support from the industry for our plan and executing that plan, and we will execute on the advice from tourism operators to buy ads to get our message out that the borders have returned to pre-September 11 traffic patterns and folks can continue to cross the border and enjoy Ontario's attractions.

We're going to move ahead aggressively with our fall and winter campaigns. We're going to extend them in fact into the Quebec and British Columbia markets. We're going to formalize and build on past success and partnerships for our winter campaign with areas like Niagara, Ottawa, Tourism Toronto and Resorts Ontario.

A further meeting of our marketing experts tomorrow, another summit on October 9 to finalize and launch that marketing strategy to let folks know across this province, those contemplating travelling to the province of Ontario that we have great things to offer, great quality attractions, great quality people. Despite difficult times, we will bounce back; we'll get people moving again, visiting our attractions, spending money in our hotels, our restaurants and our attractions.

1520

## WALKERTON TRAGEDY

**Mr James J. Bradley (St Catharines):** I have a question for the Acting Premier about the raid by the RCMP on the Premier's office. There have been a couple of raids there to try to get documents that they were withholding.

I have to ask the minister this: when I asked the Premier previously, I got the condescending and arrogant answer to it. When I asked Mr Flaherty, the deputy premier of the day, he simply dismissed these charges that you were not forthcoming with all the documents.

And yet we find out from an affidavit to obtain a search warrant that we have access to now that in fact you refused to provide all of the documents that were necessary for the Walkerton inquiry, that you refused to provide any information about Guy Giorno, who is the most powerful person in that government, and that you refused to key in such things as water and agriculture when asked to find information that would be relevant to the RCMP.

Why is it that you are withholding documents from the Walkerton inquiry, and why did you force the RCMP to conduct a raid to get those documents?

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet):** I refer that to the Attorney General.

**Hon David Young (Attorney General, minister responsible for native affairs):** I am happy to address the query raised by the member opposite, but I would encourage him to use some good judgment, some discretion and some reasonableness.

Nothing could be further from the truth. We have co-operated fully from day one. In fact, a million documents have been produced to date. Every deadline set by the commission has been met. In fact, the government has managed to get documents to the commission well in advance of most of the deadlines.

I will say this to you: there was no raid, as the member opposite describes it. What there was was a friendly search warrant, consensual. That was done on numerous occasions and is done on numerous occasions by royal commissions and commissions of that sort. It is the procedure that was accepted by all to be the best, and there was full co-operation by the government.

**Mr Bradley:** The Attorney General's answers on this are about as weak as they are on Ipperwash, where you provided selected information to members of this House at that time.

But the Walkerton inquiry asked for specific information about the Premier's office and Guy Giorno. It says, "Police analysis of his hard drive was severely restricted under the search conditions to which he had agreed and took place in a government lawyer's office. RCMP technical experts described the review as stressful. They were also denied access to the main mail servers in the Premier's office during the June 13 visit. On different occasions, inquiry lawyers expressed serious concern about delays in turning over documents and warned that Harris could be recalled to the witness stand."

I ask the Attorney General, you know darned well that Guy Giorno is the most powerful person in the Premier's office, yet you withheld documents that are part of Guy Giorno's paraphernalia. Why is it that you withheld those documents, and why did you force the RCMP to raid?

**Hon Mr Young:** I'm happy to address the member opposite. I guess this is his attempt at fiction. Obviously he pays no attention to anything said by anyone in authority, to anything said by anyone on this side of the Legislature, so let's read to him—because he won't read it for himself—what commission counsel Paul Cavalluzzo has to say.

He stated very clearly in writing that the Premier's staff has co-operated fully. His words are as follows: "It wasn't a raid in any sense." I'll repeat it because my friend opposite seems to have a hearing impairment. "It wasn't a raid in any sense. It's just that in the natural course of the inquiry, that's how we obtain documents. The date was set. It was agreed to. We in fact and the Premier's office had provided a number of dates, any of which would have been acceptable to us, for the visit. Full co-operation was provided on that occasion, as has been the case from day one."

#### YOUNG OFFENDERS

**Mrs Julia Munro (York North):** My question is for the Solicitor General. We have all been saddened by the numerous incidents of youth violence, too many of which result in death. It is my understanding that reaching at-

risk youth early is often a key to preventing a life of crime.

Minister, can you tell us about the most recent initiative this government has undertaken to combat youth violence?

**Hon David Turnbull (Solicitor General):** Clearly, every citizen in Ontario has a right to feel safe and be safe in their home and in their community. That's why we've taken steps as a government to support enforcement and prevention initiatives reducing violence among young people.

On September 18, I announced an initiative which is a \$2-million grant for the youth crime and violence initiative to enhance community safety. The funding is divided into two areas, one for enforcement grants and the other half for prevention grants. The enforcement grants are aimed at police services and the prevention grants are aimed to help community groups to help with partnerships to prevent crime before it begins.

**Mrs Munro:** I know that the youth crime and violence initiative is only one of the many programs and initiatives our government has put in place. Minister, would you tell this house of some of the other ways this government is trying to put an end to youth crime and violence?

**Hon Mr Turnbull:** The youth crime and violence initiative is just the latest in a series of announcements that we've made. Since 1997, we have in fact flowed \$1.7 million in funding for Partners Against Crime community grants to 62 community-specific projects. We've put 1,000 new front-line police officers on the streets in Ontario through the community policing program, and also we've provided recently a \$200,000 grant to the association of Crime Stoppers for an after-hours hotline. Additionally, just a few weeks ago, I attended at the OSPCA to make a \$50,000 grant to the society for the youth animal pilot project, which puts at-risk youth together with animals so that they train them. This is a very effective program at getting at prevention.

#### WALKERTON TRAGEDY

**Mr Howard Hampton (Kenora-Rainy River):** The question is for the Acting Premier. The Premier told the people of Ontario that your government would fully co-operate with the Walkerton Inquiry. Now we find that didn't happen. In fact, court documents show a running battle between the Walkerton Inquiry to get files from the Premier's office and your government's attempt to exclude those files. That running battle led to an unprecedented search of the Premier's office by the Royal Canadian Mounted Police.

Acting Premier, can you explain to the people of Ontario why the Royal Canadian Mounted Police felt it necessary to conduct a court-approved search of the Premier's office?

**Hon David H. Tsoubouchi (Chair of the Management Board of Cabinet):** I'll refer to the Attorney General.

**Hon David Young (Attorney General, minister responsible for native affairs):** I will repeat for the member opposite the fact that this government has co-operated from day one. We have produced in excess of a million documents. I will tell you in addition that we will do whatever it takes to get to the bottom of this, because the issue is a very serious one and we are committed to ensuring that we determine exactly what happened.

In order to do that we have co-operated at every step of the way. We met every deadline, as I indicated earlier. The RCMP office and the visit that occurred should be put in perspective. What happened was that the commission asked for the assistance of a particular RCMP officer, an individual who had expertise in the retrieval of information. That individual was used in many different respects in many different places. On this occasion, he asked for an opportunity to review some records that were in the Premier's office. We agreed.

**Mr Hampton:** Well, Premier, since the Attorney General didn't provide an explanation, I will provide one. The fact of the matter is that most of the documents you handed over to the inquiry were completely irrelevant. The fact of the matter is—and documents before the commission show this—the RCMP had to get a search warrant because the Premier's office tried to exclude any electronic file that dealt with water, cutbacks, or agriculture.

In the midst of the worst polluted-water disaster in Ontario—seven people killed, more than 2,000 people rendered seriously ill—the Premier's office tried to exclude electronic files that dealt with water, that dealt with cutbacks, or dealt with agriculture. How, Attorney General, does the Premier's office justify trying to exclude those files from the inquiry?

1530

**Hon Mr Young:** This is an interesting forum we have here. Every other day in this forum people scream for public inquiries. The opposition have asked for no less than 162. When there is a public inquiry and it is underway, what we see demonstrated by the opposition is that they have no idea how a public inquiry works. One aspect of a public inquiry that is frequently utilized in order to get production in a timely manner is a friendly or consensual search warrant. It has been used in the past in inquiries and it has been used in this inquiry, and the government has co-operated fully in the production of those documents through that source.

The RCMP made a complete copy of the hard disk and it was provided to them at a time and place that they requested. The RCMP was given unrestricted access to the data that they requested—the officer was—and the RCMP decided how to conduct their investigation, what key words to put in. The Premier's office co-operated fully. That is the way that commissions work.

#### HAZARDOUS WASTE

**Ms Caroline Di Cocco (Sarnia-Lambton):** My question is to the Minister of the Environment. I read the

report with interest, particularly the section on Safety-Kleen. The commissioner reviewed how your ministry responded to that application made by myself and another resident to review the certificate of approval.

We provided to the ministry strong evidence supporting our concerns about the landfill, the incinerator, and its impact on the environment and human health. In spite of all that evidence that we presented to your ministry, the response to us was that the certificate of approval for that landfill and incinerator was adequate.

What concerns me most is that your ministry, according to the commissioner's report, responded to that application with inaccuracy and, as he states, misleading and without factual information. Again, I indicated, by the report, you consistently seem to cover up the problems and leave the responsibility to the company.

I can read from the report. The question is—

**The Speaker (Hon Gary Carr):** Minister?

**Hon Elizabeth Witmer (Minister of the Environment):** I'm very pleased to state in response to the question that has been asked that we are continuing to move forward with our overhaul of the waste management regime. We believe there is a need to continually strengthen and improve the management of hazardous waste. As the member opposite knows, there has not been substantial change to the regulations or the framework since 1985.

In response to the question that you're asking, we have introduced some very strong amendments that will strengthen our framework. It now looks like our framework for the hazardous waste system is the toughest we've seen in the history of this province. It does make it much more comprehensive and much more in line with what's happening in the United States, and we will continue with that overhaul to protect not only the residents in the Sarnia area—

**The Speaker:** Order. The minister's time is up. Supplementary.

**Ms Di Cocco:** Minister, you haven't, though. The point is that you have not taken that evidence and you have not strengthened. You appear to be. The report says, "In press releases and statements, the ministry gave the impression that the 'action plan' included reviewing and strengthening existing Cs of A for hazardous waste facilities to match US...."—appeared to—you didn't do it, you just do the public relations spin.

This is a serious problem. It's the largest hazardous waste landfill in Canada. You have not done due diligence, in my view, in protecting public health and public safety, and this report corroborates that. You have a responsibility, not Safety-Kleen. Who's in whose pocket here? You seem to be protecting the interests of Safety-Kleen and not the interests of the public.

Minister, it is my constituents and it is that part of southwestern Ontario that is going to have huge environmental impacts. When are you going to change the rules so that we—

**The Speaker:** The member's time is up. Minister.

**Hon Mrs Witmer:** I think some of those comments were probably somewhat unfortunate. The member may want to reconsider.

However, having said what has been said, I think it's important to also take a look at what the commissioner has said about the regulatory environment for hazardous waste management.

As I indicated before, the whole regime has been relatively unchanged since 1985. We recognize there is a problem, and we are doing a comprehensive overhaul. In fact, I am very pleased to indicate that we are going to be moving forward. We are right now considering a plan that would include the pre-treatment of hazardous waste before disposal. We want—

**The Speaker:** The minister's time is up.

New question.

**Mr Joseph Spina (Brampton Centre):** Minister, I want to jump off on that same point, because I know that in that environmental report hazardous waste imports have risen dramatically. Maybe you could flesh out, are hazardous waste imports currently rising in the province, or what's the status? I want to understand this instead of taking a cheap shot like somebody across the floor.

**Hon Mrs Witmer:** In response to the member, I think it's very important that everyone clearly understand there's a lot of misleading information being communicated today. First of all, the figures about increases in hazardous waste contained in the Environmental Commissioner's report refer to the period from 1994 to 1998.

I want to share with this House the fact that Environment Canada released data in August this year, and it indicates that between 1999 and 2000 the imports of hazardous waste into Canada decreased by 30%; however, in the province of Ontario they decreased by 35%. I believe this is very important information, because we do see a trend and it's going downward. It's contrary to what was happening between 1994 and 1998.

**Mr Spina:** Minister, I'm happy that this trend is reversing, and particularly in Ontario as opposed to the rest of the country. What initiatives are we taking as a government with respect to hazardous waste? Where are we going on this issue?

**Hon Mrs Witmer:** As I have mentioned in some of my responses today, we are in the course of a complete overhaul of managing hazardous waste in the province of Ontario. This past summer we announced proposed new reporting rules and new fees for the hazardous waste industry, which will ensure that industry pays, and they will be required to register their hazardous waste. More importantly, we have a new framework that is the toughest in Ontario's history, which came into effect on March 31.

I am also pleased to indicate today that we will be moving forward in order to ensure that we put in place a plan to pre-treat hazardous waste before disposal. That is already required in the United States today, and we are considering such a plan.

## CHILDREN WITH SPECIAL NEEDS

**Mr David Ramsay (Timiskaming-Cochrane):** A question to the Minister of Community and Social Services: I want to tell you about a constituent of mine, who I will call Sue, whose story exposes a major gap in services for children in this province.

Sue is a 15-year-old girl confined to a wheelchair. She suffers from cerebral palsy with spastic quadriplegia and compromised vision, but she has average cognitive abilities. She currently lives with her grandmother, who cannot continue to care for her because of the very demanding and constant physical and emotional needs she has. As a result, Sue is spending long periods of time in bed, as her grandmother cannot physically cope. Because her basic needs are so severely compromised, Sue is depressed and suicidal.

All our community service supports in Timiskaming have been exhausted, and yet not one ministry of your government will step up and help Sue. Why do you persist in allowing disadvantaged people such as Sue to fall through the cracks of your government bureaucracy?

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** I am always pleased to work with members on all sides of the House, to work with challenges that come up in our ridings in our capacity as members of the Legislature. I can tell the member opposite that we've made providing supports not just to children but to adults, for people with disabilities, a priority. We've expanded supports in the community, whether it's in-home respite care or out-of-home respite care, by \$17 million, resulting from the 1999 budget. We've increased the support for people with developmental disabilities by an unprecedented amount over five years, starting in this year's budget. We're putting more supports into our children's aid societies. We're spending a considerable amount supporting disabled children with special needs. I'm always pleased to work with the member opposite. If he wants to provide me with the details, I'd be happy to work with him on this issue, as I would with any member.

1540

**Mr Ramsay:** Minister, I'll do that. What we have here is a deficiency in the policy. You need to look at that so others like Sue can be helped.

At a case conference two weeks ago, all in attendance agreed that Sue requires a residential placement that would not only provide her with basic needs for two years but would also provide the physical therapy, emotional support and life skills training that would allow her to develop to her full potential. This placement would give her the skills to live independently in assisted housing and allow her the dignity to become a productive citizen.

Minister, it is imperative that your ministry step up to the plate and take the lead responsibility to put together a multi-ministry package that would address the needs of children such as Sue. The severely disabled who are not

mentally challenged also need a champion. Will you assure me today that Sue will have the resources she requires that will improve the quality of her life and perhaps give her a reason to dream about a bright and fulfilling future?

**Hon Mr Baird:** I can assure the member opposite that I'd be pleased to work with him on the issue and do all we can. It is a challenge, in this type of environment, to do all we'd like to do. We constantly work to expand services and take steps forward, whether it's providing residential supports, whether it's providing in-home or out-of-home support, in a variety of ministries, whether it's through our education system, through our health system or through a range of social service agencies.

In this year's budget alone we gave a major increase to children's treatment centres around the province, recognizing that providing supports to profoundly disabled children is something that's incredibly important. We do that in a range of areas, whether it's through our children's aid societies or through our developmental disability system. We do that through a range of community supports. It's a constant challenge. We take steps forward each and every year. I'm happy to continue to work with all members, including the member opposite if he wants to bring the specific details to my attention.

#### ITER FUSION PROJECT

**Mr John O'Toole (Durham):** My question is to the Minister of Energy, Science and Technology. On May 7, 2001, you reaffirmed this Legislature's commitment to the ITER fusion project in my riding of Durham. As you know, there is considerable interest in this project throughout Durham, naturally because the Darlington generating station is an important part of their proposal. In fact, it has been selected as Canada's site for Canada's siting group. The community council of ITER, which includes Gary Polonsky, Adrian Foster, Ron Collis and Victoria Greene, and many other members of the local business community are closely following up this opportunity. It's my understanding that ITER could mean an estimated 68,000 person-years of direct and indirect employment, along with an injection of some \$5.2 billion into the Ontario economy.

Minister, for the purposes of the members of this House, could you—

**The Speaker (Hon Gary Carr):** The member's time is up. Minister.

**Hon Jim Wilson (Minister of Energy, Science and Technology):** It's an important question. The ITER group is meeting in Toronto this week. ITER stands for international thermonuclear experimental reactor. It would be the biggest breakthrough in the history of energy in the world. The idea is to use fusion power to generate electricity. The Ontario government has committed \$10 million a year for 30 years to this project. Unfortunately, the federal government hasn't committed any money.

We're in a worldwide competition. Our main competitors right now are Japan and France. The ITER group, with an Ontario representative, presented Canada's bid in Moscow just a few months ago. Clarington is one of the potential sites because of its proximity to Darlington. We're very hopeful that we'll win the bid, but we do need help from the federal government.

**Mr O'Toole:** Thank you very much for that very informative response, Minister. I know the members of my riding would be pleased with the support I've received from you, and our province committing \$10 million per year over 30 years is an important commitment. I wasn't surprised at all that the federal government simply isn't up to the job and doesn't recognize this investment in our future.

Minister, could you perhaps tell me, or report for the members of the House, any progress that may be being made. Is there a bid coming forward from other countries; if so, what countries? What role, particularly, does the province have in this negotiation process, as it is an international process?

**Hon Mr Wilson:** As I said, the province has committed money to the project. It would be a 30-year science experiment, which would be very exciting. Some 250 of the world's greatest scientists would have to come to Ontario, would probably move to Ontario. It would be the biggest reversal of the brain drain that we could ever imagine or that any country could ever imagine. Ontario's role is to support the bid financially. We've also supported the administrative side of the bid in order to keep the team together so that they can present Canada's case. We've supported that.

I will give some credit to the federal government. They've given a bit of money for that purpose. But the federal government seems very shy, for some reason, to not support this huge leap in science. Again, we call upon them to help reverse the brain drain and bring this very important international project to Canada, and particularly to Ontario.

*Interjection.*

**The Speaker:** Thanks very much. I'll watch the clock, I say to the opposition House leader. It was 1:01, I looked at the clock; and I'll look at the clock, not you.

**Mr Dwight Duncan (Windsor-St Clair):** Well, we will too.

**The Speaker:** Let me say this very clearly. I sometimes give leeway to people in situations like this. Your own member went over. Your own member on the last question went over by a good 10 or 15 seconds. Would the House leader of the opposition like me to cut her off? I could have done that very easily. I try to help both sides out as best I can, and it works out even all around, including sometimes when the leader of the official opposition goes over. I try to help every side on this.

There is going to be a question, and I decide who gets the questions. The member for Nickel Belt, I believe it was.

## ONTARIO DISABILITY SUPPORT PROGRAM

**Ms Shelley Martel (Nickel Belt):** I have a question for the Minister of Community and Social Services regarding ODSP application forms. A constituent of ours, Patrick Murphy, doesn't have a family doctor, so he can't get the health status report form of the ODSP package completed. We've intervened at the ODSP adjudication unit to request that a nurse practitioner be permitted to fill out the form, and we have been told that the chief medical review officer at the unit agrees with this. However, when we asked to have this confirmed in writing, we were told that the health status report form already says that it can be completed by a nurse practitioner; indeed it does not. It clearly says that the document can only be completed by a physician.

Minister, will you make an official decision as soon as possible to allow nurse practitioners to complete these forms so that Patrick Murphy and many other disabled Ontarians who don't have a family doctor are not barred from applying for ODSP?

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs):** Yes.

## PETITIONS

### AUDIOLOGY SERVICES

**Mr Rick Bartolucci (Sudbury):** This petition is to the Legislative Assembly of Ontario and it's entitled Listen, Our Hearing is Important.

"Whereas services delisted by the Harris government now exceed \$100 million in total; and

"Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions; and

"Whereas new Harris government policy will virtually eliminate access to publicly funded audiology assessments over vast regions of Ontario; and

"Whereas this new Harris government policy is virtually impossible to implement in underserved areas across Ontario; and

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to permanently fund audiologists directly for the provision of audiology services."

This petition is signed by thousands of people, and I'll give it to Anthony to bring to the table.

## OCCUPATIONAL HEALTH AND SAFETY

**Mr Peter Kormos (Niagara Centre):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas this year 130,000 Canadians will contract cancer and there are at minimum 17 funerals every day for Canadian workers who died from cancer caused by workplace exposure to cancer-causing substances, carcinogens;

"Whereas the World Health Organization estimates that 80% of all cancers have environmental causes and the International Labour Organization estimates that one million workers globally have cancer because of exposure at work to carcinogens;

"Whereas most cancers can be beaten if government had the political will to make industry replace toxic substances with non-toxic substances at work; and

"Whereas very few health organizations study the link between occupations and cancer, even though more study of this link is an important step to defeating this dreadful disease;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That it become a legal requirement that occupational history be recorded on a standard form when a patient presents at a physician for a diagnosis or a treatment of cancer; and

"That the diagnosis and occupational history be forwarded to a central cancer registry for analysis as to the link between cancer and occupation."

I have added my signature as well.

1550

## PROTECTION OF MINORS

**Mr Bob Wood (London West):** I have a petition signed by 1,072 people of the approximately 23,000 who have signed this petition so far.

"Whereas children are being exposed to sexually explicit materials in many commercial establishments;

"Whereas many municipalities do not have bylaws in place to protect minors and those that do vary from place to place and have failed to protect minors from unwanted exposure to sexually explicit materials;

"Whereas uniform standards are needed in Ontario that would make it illegal to sell, rent, loan or display sexually explicit materials to minors;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass Bill 95, Protection of Minors from Sexually Explicit Goods and Services Act, 2000, as soon as possible."

## ONTARIO PUBLIC SERVICE

**Mr Pat Hoy (Chatham-Kent Essex):** To the Legislative Assembly of Ontario:

"Whereas the November 2000 announcement of massive privatization of Ministry of Transportation services will have a significant detrimental affect on citizen road safety, confidentiality of citizens' information and on the economy of Ontario; and

"Whereas the employees of the Ministry of Transportation are recognized in writing by the provincial government to have provided excellent service on the government's behalf; and

"Whereas the government of Ontario is taking away the livelihood and decreasing the standard of living of thousands of employees and families by its actions both directly and indirectly through spinoff effects; and

"Whereas citizens of Ontario are entitled to safe roads, consistency in driver testing, and competent inspection of trucks, school buses and vehicles carrying dangerous goods; and

"Whereas communities continue to need to retain decent-paying jobs if they are to maintain viability and vibrancy; and

"Whereas we taxpayers have entrusted the provincial government with the maintenance of public safety with an apolitical and efficient public service, a service free of profiteering and protected from conflicts of interests; and

"Whereas privatization is an abdication of such public trust;

"We, the undersigned, petition the Legislative Assembly of Ontario to place a moratorium on any further privatization and to restore and promote public service as being of significant value in our society."

I affix my name to this petition.

#### OHIP SERVICES

**Mr David Christopherson (Hamilton West):** I am proud to present further petitions forwarded to me by Gwen Lee, a seniors activist in Hamilton. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Harris government's decision to delist hearing aid evaluation and re-evaluation from OHIP coverage will lead to untreated hearing loss; and

"Whereas these restrictions will cut off access to diagnostic hearing tests, especially in geographic regions of the province already experiencing difficulties due to shortages of specialty physicians; and

"Whereas OHIP will no longer cover the cost of miscellaneous therapeutic procedures, including physical therapy and therapeutic exercise; and

"Whereas services no longer covered by OHIP may include thermal therapy, ultrasound therapy, hydrotherapy, massage therapy, electrotherapy, magnetotherapy and biofeedback; and

"Whereas one of the few publicly covered alternatives includes hospital outpatient clinics where waiting lists for such services are up to six months long; and

"Whereas delisting these services will have a detrimental effect on the health of all Ontarians, especially

seniors, children, hearing-impaired people and industrial workers; and

"Whereas the government has already delisted \$100 million worth of OHIP services,

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to immediately restore OHIP coverage for these delisted services."

I add my name to those of Gwen Lee and others, not just from Hamilton but from other communities across Ontario.

#### PROTECTION OF MINORS

**Mr Bob Wood (London West):** I have a petition which is signed by 1,002. It reads as follow:

"Whereas children are being exposed to sexually explicit materials in many commercial establishments;

"Whereas many municipalities do not have bylaws in place to protect minors and those that do vary from place to place and have failed to protect minors from unwanted exposure to sexually explicit materials;

"Whereas uniform standards are needed in Ontario that would make it illegal to sell, rent, loan or display sexually explicit materials to minors;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass Bill 95, Protection of Minors from Sexually Explicit Goods and Services Act, 2000, as soon as possible."

#### COMMUNITY CARE ACCESS CENTRES

**Mr Ernie Parsons (Prince Edward-Hastings):** "To the Legislative Assembly of Ontario:

"Whereas the Mike Harris government promised to institute patient-based budgeting for health care services in the 1995 Common Sense Revolution; and

"Whereas community care access centres now face a collective shortfall of \$175 million due to a funding freeze by this provincial government; and

"Whereas due to this funding shortfall, CCACs have cut back on home care services affecting many sick and elderly Ontarians; and

"Whereas these cuts in services are mostly in homemaking services, forcing Ontarians into more expensive long-term-care facilities or back into hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately institute real patient-based budgeting for health care services, including home care, so as to ensure that working families in Ontario can access the health care services they need."

I'm pleased to add my signature to this petition.

#### OHIP SERVICES

**Mr Gilles Bisson (Timmins-James Bay):** I have here a petition from a number of people from the area, and it reads as follows:

"Petition to the Ontario Legislature:

"Whereas the Harris government's decision to delist hearing aid evaluation and re-evaluation from OHIP coverage will lead to untreated hearing loss; and

"Whereas these restrictions will cut off access to diagnostic hearing tests, especially in geographic regions of the province already experiencing difficulties due to shortages of specialty physicians; and

"Whereas OHIP will no longer cover the cost of miscellaneous therapeutic procedures, including physical therapy and therapeutic exercise; and

"Whereas services no longer covered by OHIP may include thermal therapy, ultrasound therapy, hydrotherapy, massage therapy, electrotherapy, magnetotherapy...and biofeedback; and

"Whereas one of the few publicly covered alternatives includes hospital outpatient clinics where waiting lists for such services are up to six months long; and

"Whereas delisting these services will have a detrimental effect on the health of all Ontarians, especially seniors, children, hearing-impaired people and industrial workers," many of whom live in my riding;

"Whereas the government has already delisted \$100 million worth of OHIP services,

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately restore OHIP coverage for these delisted services."

I sign the petition.

#### PROTECTION OF MINORS

**Mr Bob Wood (London West):** I have a petition signed by 972 people:

"Whereas children are being exposed to sexually explicit materials in many commercial establishments;

"Whereas many municipalities do not have bylaws in place to protect minors and those that do vary from place to place and have failed to protect minors from unwanted exposure to sexually explicit materials;

"Whereas uniform standards are needed in Ontario that would make it illegal to sell, rent, loan or display sexually explicit materials to minors;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass Bill 95, Protection of Minors from Sexually Explicit Goods and Services Act, 2000, as soon as possible."

#### DOCTOR SHORTAGE

**Mr Michael Gravelle (Thunder Bay-Superior North):** The doctor shortage crisis in Thunder Bay is one that concerns everybody in our community, the number one priority. Over 40,000 people are without a family physician. We have a petition here signed by 40,000 people.

"To the Legislative Assembly of Ontario:

"Our community is facing an immediate, critical situation in accessing physician services and in providing hospital care to the people of northwestern Ontario.

While recruitment and retention of physicians has been a concern for many years, it is now reaching crisis proportions. Training more physicians in northern Ontario is certainly the best response to this problem in the longer term. We are, however, in urgent need of support for immediate short-term solutions that will allow our community both to retain our current physicians and recruit new family doctors and specialists in seriously understaffed areas.

"Therefore we, as residents of Thunder Bay and northwestern Ontario, urge you to respond to our community's and our region's critical and immediate needs. For us, this is truly a matter of life and death."

There's a town hall meeting in Thunder Bay tomorrow night sponsored by Thunder Bay Television to discuss this urgent issue. I hope all people in Thunder Bay will turn out. I'm proud to sign this petition.

#### PERSONAL NEEDS ALLOWANCE

**Mr David Christopherson (Hamilton West):** I have further petitions from the Hamilton second level lodging home residents' task force. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas individuals who are tenants or residents in facilities such as care homes, nursing homes or domiciliary hostels under certain acts are provided with a personal needs allowance to meet incidental costs other than those provided by the facility; and

"Whereas the personal needs allowance has been fixed by the Ontario government at a rate of \$112 for nearly a decade and has not kept pace with cost-of-living increases, and furthermore is inadequate to meet incidental costs such as clothing, hygiene products and other personal essentials;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to immediately review and amend provincial legislation to increase the personal needs allowance from \$112 a month to \$160 a month for individuals living in care homes, nursing homes or other domiciliary hostels."

On behalf of those residents and my caucus colleagues, I add my name to this list of petitioners.

1600

#### PROTECTION OF MINORS

**Mr Bob Wood (London West):** I have a petition signed by 1,040 people.

"Whereas children are being exposed to sexually explicit materials in many commercial establishments;

"Whereas many municipalities do not have bylaws in place to protect minors and those that do vary from place to place and have failed to protect minors from unwanted exposure to sexually explicit materials;

"Whereas uniform standards are needed in Ontario that would make it illegal to sell, rent, loan or display sexually explicit materials to minors;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To pass Bill 95, Protection of Minors from Sexually Explicit Goods and Services Act, 2000, as soon as possible."

#### AUDIOLOGY SERVICES

**Mr Dave Levac (Brant):** I have a petition to the Legislative Assembly of Ontario.

"Listen: Our hearing is important.

"Whereas services delisted by the Harris government now exceed \$100 million in total; and

"Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions; and

"Whereas new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario; and

"Whereas this new Harris government policy is virtually impossible to implement in underserved areas across Ontario; and

"Whereas this policy will lengthen waiting lists of patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand that the Mike Harris government move immediately to permanently fund audiologists directly for the provision of audiology services."

I sign my name to this petition and hand it over to Owen.

#### ORDERS OF THE DAY

##### IMPROVING CUSTOMER SERVICE FOR ROAD USERS ACT, 2001

##### LOI DE 2001 SUR L'AMÉLIORATION DES SERVICES À LA CLIENTÈLE OFFERTS AUX USAGERS DE LA ROUTE

Mr Turnbull, on behalf of Mr Clark, moved second reading of the following bill:

Bill 65, An Act to permit the Minister of Transportation to delegate to persons in the private sector powers and duties and responsibilities to deliver services relating to road user programs / Projet de loi 65, Loi permettant au ministre des Transports de déléguer à des personnes du secteur privé des pouvoirs, des fonctions et des responsabilités pour fournir des services liés aux programmes à l'intention des usagers de la route.

**Hon David Turnbull (Solicitor General):** I will be sharing my time with the member for York North and the member for Oak Ridges.

**Hon Chris Stockwell (Minister of Labour):** On a point of order, Mr Speaker: I seek your advice with

respect to this point of order. I know during question period there was some discussion with respect to the House leader of the opposition standing on a point of privilege after question period. Your direction to him was that it would be best taken up after question period rather than during question period. The House leader said, "Yes, that's great. I'll do it after question period."

I don't want to be a stick-in-the-mud, but I'm here for the point of privilege. Do I expect this then to be at any time, or am I compelled to be here until he deems that he's got a point of privilege?

**The Speaker (Hon Gary Carr):** I thank the member. I also am here under those circumstances. I don't know what the point of privilege would be. It may be relating to something which, quite frankly, might not have even happened yet.

The member for Hamilton East on a little bit of advice to all of us.

**Mr Dominic Agostino (Hamilton East):** Just on the same point of order, my understanding from the House leader is that it will not be raised today. It may be raised at a time in the future, the same point.

**The Speaker:** I can sometimes guess what these things are about. I bet you this time I would bet the farm I know what it is, but since it hasn't happened, we will wait.

Sorry for the interruption. The Solicitor General.

**Hon Mr Turnbull:** I'm pleased to speak for my colleague the Minister of Transportation, Brad Clark, today. Unfortunately, Minister Clark is unable to be here due to illness.

Our government believes that, for the most part, the proper role of the government is to manage public services rather than deliver them directly. In our 1999 Blueprint document and again in this year's speech from the throne, we promised to explore alternate approaches to service delivery. Alternate service delivery of public services is an important part of the government's commitment to accountability. We have also pledged to provide high-quality services to Ontario taxpayers while ensuring they receive value for their money.

Through alternate service delivery, we can ensure that services received by taxpayers are modern, safe, efficient and cost-effective.

In this province there are currently more than eight million licensed drivers out of a population of 11.5 million. Growth in population is estimated at an additional two million by 2015. There are currently more than nine million registered vehicles in the province. These numbers continue to grow every year.

A large part of that growth is due to the overwhelming economic success in this province. It demonstrates that this government has put the right economic building blocks in place by focusing on sound financial management, a competitive economy, jobs and growth. As our population continues to grow, we will find increased demand for enhanced driver services.

The Ministry of Transportation is responding to an established need. For these reasons, I'm very pleased

today to rise on behalf of Minister Clark and introduce for second reading the Improving Customer Service for Road Users Act, 2001. This bill is designed to improve customer service to the public by permitting the Minister of Transportation to transfer the delivery of road user services and programs to other providers. At the same time, the proposed legislation will still mandate the minister to protect the public interest.

The government would monitor new service providers to ensure they comply with existing and future legislation. As well, it would rigorously audit the performance of all new service providers to ensure the public is receiving services that are safe, efficient, effective, consistent and fair.

The bill includes important provisions to protect the privacy of individuals and safeguard the confidentiality of their personal information.

Under the proposed legislation, alternate service providers would be required to abide by the provisions of the Freedom of Information and Protection of Privacy Act with respect to their actions on behalf of MTO. Additionally, alternate service providers would be mandated to create the position of privacy officer. The privacy officer would be responsible for securing all customer records related to the delegated business.

I'm very pleased to advise members of the House that this legislation has been positively reviewed by Ontario's own Information and Privacy Commissioner. I want to stress that as we transfer the delivery of services to other providers, road safety in this province will not be compromised. Indeed, the safety of all road users remains a high priority for this government and for the Ministry of Transportation.

In terms of road safety, I'm pleased to inform the House that Ontario now has the first place in Canada, and in fact is second in North America only to Massachusetts. Even though there are more vehicles and licensed drivers on our roads than ever before, Ontario has the best record in Canada, with the fewest number of fatalities per 10,000 licensed drivers.

The priority this government has placed on road safety in the past several years has contributed to this important achievement. We have implemented new road user safety programs, including an immediate 90-day suspension for drivers who have been drinking, impoundment of any vehicle being driven by a person who is suspended under the Criminal Code for driving-related convictions, impoundment of critically defective commercial vehicles and higher fines and sanctions for a wide range of offences. And we're seeing positive results.

Our fatality rate in 1999 dropped to 1.1 per 10,000 licensed drivers, making the 11th consecutive year of improvement. It goes without saying, however, that even one fatality is one too many.

Clearly, road safety is a priority that is being addressed through a commitment by MTO to the highest standards possible in developing and delivering effective programs.

## 1610

Part of delivering effective programs is providing quality customer service. The ministry has already made some significant customer service improvements that will address the growing population of Ontario drivers.

Last year, for instance, in my previous role as Minister of Transportation, I introduced several measures designed to effectively address customer service issues at provincial driver examination centres. Under those new measures, MTO hired more than 300 driver examination staff on a temporary basis. The ministry also opened temporary driver testing facilities and expanded the hours of operation at several provincial testing centres. As a result, MTO was able to offer more road tests and we reduced the average waiting time province-wide for driver examinations.

But it was also clear that we needed to do more. That is why the transfer of driver examination services to a new service provider is being considered as the first major initiative under this bill.

It is clear that alternative service delivery of driver examination would bring innovation and greater flexibility in the way the services are delivered. Under a new service provider, MTO is committed to reducing the wait time for road tests to six weeks or less across Ontario.

As the honourable members know, this government has already taken a number of measures to address the growing service pressures around driver examinations. In particular, we have sought to reduce the long waiting times faced by people in some parts of the province when booking their driver exams. We have made clear progress in this regard, but we also believe there is further room for improving service delivery. By transferring the ministry's driver examination business to another service provider, MTO will build on customer service improvements that have already been achieved and offer enhanced service to the public in the future.

I mentioned earlier the support my cabinet colleague received from Ontario's Information and Privacy Commissioner. We're proud of this support. Similar support was received from other parties interested in protecting the public interest and improving customer service for new drivers.

Canada Safety Council President Emile Thérien has said, "Privatizing driver testing makes a lot of sense. It will improve safety by providing testing when it is needed. Driver testing is a government function that can and should be privatized in the interests of safety."

Similarly, the Insurance Bureau of Canada has given praise to this proposal. Mark Yakabuski, the bureau's Ontario vice-president says, "Allowing alternative service delivery for driver examinations will solidify the enormous success that Ontario's graduated licensing program has already achieved in its few short years of existence. We hope that other jurisdictions will emulate Ontario's leadership in this important area."

The Ministry of Transportation has done its homework and has studied how driver exam services have been

improved by the private sector elsewhere. Jurisdictions like Alberta and Michigan report high customer satisfaction. MTO learned from these other jurisdictions' successes and from their failures. As a result, we can be confident that a made-in-Ontario solution for the delivery of driver exams would reflect the best of all experiences.

Although the transfer would affect many MTO staff, we can also be confident that a new service provider would need and want to take advantage of the considerable skills and professionalism of our existing staff. A new provider of driver examination services would need a flexible, multi-skilled workforce, people who can perform in a high-demand environment with new and changing relationships. Job offers, as required under the collective agreements of those affected staff, will be a mandatory part of any contract with the service provider, and many MTO driver examination staff will find new job opportunities with the new employer.

As the Minister of Transportation advised the House when he introduced the bill for first reading, the proposed legislation has been written to address a number of important issues. For example, as part of the driver examination model, provisions would be in place to ensure that driver testing in Ontario continues to be fair and objective. As well, checks and balances would be in place to ensure that drivers who receive a licence from the province continue to be required to meet Ontario's high standards for driving skills as well as knowledge of the rules of the road.

Clearly, under the new service provider, the benefits to our driver examination programs would be wide-ranging. For instance, the new system would provide support to, and enhance, Ontario's graduated licensing system.

As a member of the opposition, I fought hard for the introduction of a graduated licensing system to enhance road safety, especially for our young drivers. In itself, the graduated licensing system has been an unparalleled success story since it was introduced seven years ago. Studies show that the number of collisions involving novice drivers has dropped by 31%. The number of injuries and fatalities involving novice drivers has gone down by 24%.

A new service provider would help this program continue to build on its successful track record. To ensure that driver testing in Ontario is delivered consistently in all parts of the province, the ministry would seek a single service provider to deliver driver testing services province-wide. Taxpayers would know exactly who is responsible for providing the services and who is accountable for their timeliness, cost and quality.

Under this new service delivery model, MTO would continue to play a vital role in the licensing of drivers on the province's roads. The ministry would establish the standards and curriculum for driver licensing. It would also train the service provider's trainers, and MTO would ensure the service provider's compliance with all of its legal and contractual obligations.

As the service manager, the ministry would continue to develop policy, legislation and regulations on driver

examination services, just as it does today. Moreover, the government would continue to set regulated fees, including the fees charged for driver testing. Under the new service delivery model, the service provider could elect to offer new, value-added services to the public and would have the right to determine what fee it would charge for those services. However, those services would require final approval by the Ministry of Transportation before they could be implemented.

As I said earlier, alternative service delivery is all about serving customers better and finding more flexible and innovative ways to deliver the services; it's about dealing with growing demand in ways that are smarter and more effective.

The Ministry of Transportation will continue to be responsible for establishing quality standards throughout Ontario's transportation sector and for ensuring that every driver who receives a licence is qualified to hold one.

Our government remains committed to examining the province's assets and the services it provides to the public, and if there's a better way to deliver those services, rest assured that we intend to pursue it. This bill will get us closer to that goal, and I therefore submit it for second reading and ask for the full support of the House.

**Mrs Julia Munro (York North):** It is my pleasure to rise this afternoon to support second reading of the Improving Customer Service for Road Users Act, 2001. The proposed legislation is designed to allow some Ministry of Transportation services to be delivered by another service provider. If passed, the bill would lead to important improvements in the way customer services are delivered to the public across Ontario.

As members know, driver examinations and a range of related services are currently provided by the Ministry of Transportation. Indeed, this has been the case for the better part of the century. Since those days, Ontario has undergone a great many changes. We have changed from a mainly rural and agricultural province to a more sophisticated and highly urbanized society including the largest city in Canada. Our economic base has shifted from mainly resource extraction and heavy manufacturing to auto and auto parts production, as well as continuing growth in financial and other knowledge-based services. Our population has increased to the point where the people of Ontario represent more than one third of all Canadians. Our diverse social makeup has made us one of the most multicultural jurisdictions in the world.

**1620**

Working conditions, housing, health care and education have all improved significantly for the vast majority of people. We have also become a wired society, one of the world's leaders in high-tech products and services. We built the world's first fully electronic toll highway. We erected the world's tallest freestanding structure. And we have some of busiest highways in North America.

We continue to address our future transportation needs through leading-edge initiatives like Smart Growth and SuperBuild. Smart Growth is part of this government's planning process for the future. It prepares Ontario for growth in the next 20 years. This province's made-in-Ontario Smart Growth strategy is a vision for land use, transportation and infrastructure decisions. It's part of the Harris government's 21-step action plan to move us into this new century. Smart Growth is all about ensuring a strong economy, strong communities and a healthy environment. It strikes the right balance in planning initiatives to ensure a competitive edge in supporting the efficient use of existing and new infrastructure and in fostering focused growth.

The Ministry of Transportation's role in Smart Growth is to provide the most effective transportation services that minimize environmental impact. This will ensure continued economic investment, a better quality of life and new job creation.

Through this government's five-year, \$20-billion SuperBuild initiative, the Ministry of Transportation is helping to facilitate the largest infrastructure building program in Ontario's history. The ministry's role with SuperBuild is founded on three pillars: (1) preserving Ontario's \$27-billion investment in highway infrastructure by making strategic investments, (2) running an efficient, well-coordinated and seamless transportation system that uses intelligent technology and all transportation modes and (3) building for the future through new public-private partnerships that can deliver new infrastructure faster and more cost-effectively than traditional approaches. They leverage capital funding. They create jobs in this province.

Ontarians enjoy a quality of life and a range of services that are second to none. Through its commitment to forward-looking initiatives like Smart Growth and SuperBuild, our government has again made this province the best place to live, work and raise a family.

Despite these considerable advantages and the many benefits Ontario has reaped from growth and change over the years, there are still those who raise concerns about positive changes designed to make our excellent standard for customer service even better. This bill addresses those concerns.

First, I'd like to emphasize that, if passed, this bill would enhance efficiencies and build on the long-term effectiveness of customer service delivery in this province. Secondly, I'd like to discuss the changing history of Ontario's driver licensing system.

As most of us are aware, Ontario's system for licensing drivers has changed a great deal over the years. In our grandparents' day, cars were still relatively new. In fact, when automobiles first started to appear in Ontario more than 90 years ago, comparatively few people could afford to own one. With few cars and drivers on the road, Ontario saw no need to license drivers. By our parents' day, car ownership had grown by leaps and bounds. The automobile created a whole new

lifestyle, a new era of personal mobility. It also made life in the suburbs possible.

Ontario responded by building more roads. We had more vehicles on those roads, and for safety reasons we began to license both automobiles and their drivers. In our own youth, whether in the 1950s, the 1960s or the 1970s, getting a driver's licence became a rite of passage for most young people, and for many of us, getting that licence seemed comparatively easy. We read over the driver's handbook a few times, wrote a short multiple-choice test and received a beginner's permit, which we called the 90-day licence, or later on, the 365-day.

Within that first period, new drivers were expected to practise their driving skills at all times of the year, during the day and at night and in all kinds of weather and driving conditions. The only restriction or requirement was that you had to have an experienced licensed driver beside you when you were at the wheel. Many people booked their formal driving test on the same day they received their beginner's licence. In those days you could qualify for your beginner's licence on one day and try your driving test on the next, as long as you could secure a testing appointment.

Even 30 or 40 years ago traffic congestion was still relatively uncommon. For people in our generation, the toughest part of getting a licence, the skill that everyone practised the most, was parallel parking. I certainly remember doing that. If you could manoeuvre the vehicle successfully, point it in the right direction, make it stop and go and perform a parallel park without knocking over the orange cone, you got your permanent licence and minutes later you could be out on the 401 driving by yourself.

Today, of course, our standards have changed significantly. With graduated licensing, Ontario's novice drivers now undergo a much more rigorous two-step licensing process, which includes two road tests. As we know, this new approach to licensing drivers is saving lives. But while our licensing requirements have changed a great deal over the years, our driver examination services have not kept pace with the times. There are more than eight million licensed drivers in this province, and thousands more receive new licences each year.

The demand for driver testing services in Ontario will continue to grow as our population increases, thanks to successful economic growth in this province. The Ministry of Transportation has already made some significant customer service improvements to address the growing population of drivers in this province. In 1999, members will recall that the previous Minister of Transportation, the Honourable David Turnbull, brought in a package of measures to address the customer service problems at provincial driver examination centres. In this initiative, the ministry hired more than 300 driver examination staff on a temporary basis. It also opened temporary driver testing facilities and expanded the hours of operation at a number of provincial testing centres. As a result of this initiative, more road tests were offered and

the average waiting time across the province for driver examinations was reduced.

**1630**

This new bill supports the Ministry of Transportation intention to find a new service provider for driver examination services. With the passage of this proposed legislation and the eventual move to a new service provider, the province will be able to build on this significant customer service improvement in driver examination services that have already been made.

As members will know, Ontario is committed to the highest level of customer service possible in all facets of its operations. By engaging the private sector in the delivery of driver examination services, the government will continue to maintain, even exceed, those high standards for excellence in customer service.

The key, of course, is to find the right service provider for the job. To ensure that the right organization is selected to undertake this important task, the ministry has established an open, competitive process. Before earning the right to deliver driver examination services in Ontario, a successful bidder would be required to prove its capability in a number of areas. It is a process that would demand that all candidates for this role meet a very specific, predetermined set of criteria. If this bill passes, only pre-screened, qualified candidates will be able to proceed to the next level in which they will be able to bid for the right to deliver ministry services. If a successful candidate is chosen, the ministry will then develop a detailed service delivery contract with the winning bidder.

As I have suggested, great care is being taken to ensure that the selection process can have only one possible outcome, which is safe, effective, high-quality service delivery. I believe that the people of Ontario simply cannot lose with this process, because the whole point of the exercise is to provide them with better service. If the selection process results in a new provider of driver examination services, the service delivery contract with the ministry would contain measurable objectives and clear milestones for customer service improvements. The goal is to improve customer service. The people of Ontario will be the beneficiaries.

From my perspective, the real importance of this bill is simply that it will bring more efficient and cost-effective services to the people of Ontario. As members and elected representatives of the people, I believe we all have an obligation to support measures that will result in better service to the public. Under this bill, the ministry would continue to set the standard for improved customer service and it would give the private sector an opportunity to use its flexibility and innovation to deliver key driver examination services to the public.

We believe that the ministry's staff, resources and expertise should be used to manage services rather than deliver them directly. That is the whole purpose of the bill we have before us for second reading.

**Mr Gilles Bisson (Timmins-James Bay):** On a point of order, Mr Speaker: I believe we don't have a quorum.

**Clerk Assistant (Ms Deborah Deller):** Quorum is not present, Speaker.

**The Deputy Speaker (Mr Michael A. Brown):** Call in the members. This will be a five-minute bell.

*The Deputy Speaker ordered the bells rung.*

**Clerk Assistant:** Quorum is now present.

**Mrs Munro:** If I could just go back, the importance of this bill is that it would continue to set the standard for improved customer service and it would give the private sector an opportunity to use its flexibility and innovation to deliver key driver examination services to the public. We believe that the ministry's staff, resources and expertise should be used to manage services rather than deliver them directly, and that is the whole purpose of the bill we have before us for second reading today.

With the passage of this legislation, new service providers would work closely with the ministry to deliver top-level driver examination and other driver services across the province. The Ministry of Transportation would continue to manage and supervise the delivery of these services and would ensure that new service providers adhered to a performance management system that maintains this commitment to excellence. In this way, the public would see better, more cost-effective services and the ministry would be able to focus on its proper role of service management. I believe all members of the House should join me in supporting this bill.

Like so many other changes we have seen over the years, this proposed legislation is designed to build on the steady progress we have made to keep Ontario strong and growing. This bill would improve customer service across the province by enhancing the services that we offer to people. On behalf of those people I represent here, I invite other members to pledge their support for the proposed legislation.

**Mr Frank Klees (Oak Ridges):** I rise today in support of the Improving Customer Service for Road Users Act, 2001. I'm glad so many of our colleagues are here today and all the people in the galleries who are here today to observe this debate. It's an indication of how important a piece of legislation this really is to the people here and people across the province.

As members know, this bill would permit the Ministry of Transportation to transfer the delivery of some road user programs and services to new service providers. Our reputation in this province in terms of service delivery, particularly in the area of transportation, is second to none. I'm sure all members here will agree with that.

**1640**

However, even excellent service can be improved on, and that's what this is really all about today. The proposed legislation is designed to allow some Ministry of Transportation services, as I indicated, to be delivered by other service providers, namely the private sector. But let the members of this House be assured that through the transfer of services the government would continue to protect the privacy of all Ontarians. I know that this has been an area of concern expressed by some members opposite and by some members of the public, but I'm

sure a careful reading of this legislation will reassure everyone that the minister, his staff and all those who have been involved in the development of this legislation have addressed that issue.

The bill includes important provisions to protect the privacy of individuals, as I said, and to safeguard the confidentiality of their personal information. The Ministry of Transportation, by its very nature, deals with important information that relates to citizens of this province. So for that reason, we want to be sure, and have assured through this legislation, that all of that information will be protected.

Under the proposed legislation, alternative service providers would be required, therefore, to abide by the provisions of the Freedom of Information and Protection of Privacy Act with respect to all of their actions on behalf of the ministry. Additionally, alternative service providers would be mandated to create the position of privacy officer. The privacy officer would therefore be responsible for securing all customer records related to the delegated business.

**Mr Ernie Parsons (Prince Edward-Hastings):** They'll be in charge of selling names.

**Mr Klees:** A member opposite, sarcastically I'm sure, made reference or suggested that in fact this person delegated would make a profit in selling names on this registry. Let me assure the member opposite that this is precisely the kind of safeguard we're putting in place to ensure that doesn't happen.

Additionally, we're committed to ensuring that road safety would not be compromised under this legislation either. We would continue to—

*Interjections.*

**The Deputy Speaker:** Order. The member for Prince Edward-Hastings knows that heckling is out of order, particularly when one is not in one's own seat.

I'm sorry, the member for Oak Ridges.

**Mr Klees:** I'm sure the member for Prince Edward-Hastings will have his opportunity to insert his wisdom into this debate, and I appreciate, Speaker, that you have rightfully chastised him for attempting to interrupt my words of wisdom on this subject.

We would continue to safeguard the public interest, as I indicated, through this legislation by regularly monitoring and auditing new service providers to ensure that they comply with all legislative and contractual obligations.

I would like to put to rest as well any concerns that this proposed legislation might undermine the safety of roads. The fact is that if we read this proposed bill from beginning to end, as I'm sure every member in this House has done, as well as most of the onlookers today in the galleries and the media who are so carefully scrutinizing this debate today, upon careful reading of this legislation they would have observed it is obvious that through the proposed legislation road safety would not be compromised. On the contrary, the bill would support and enhance the delivery of Ontario's graduated licensing program. As members know, this program in

itself has been a tremendous success story since its introduction six years ago.

Speaker, I know you know, but there may still be some question in the minds of some of the public, that under graduated licensing, novice drivers obtain a licence that requires them to obey a comprehensive set of driving restrictions related to alcohol, night driving and travelling on Ontario's busiest highways. These restrictions are designed to provide new drivers with valuable experience that they need during a period when statistics show that they are the most vulnerable, and understandably so. It's a new experience for them. It is not evident to a lot of people just how great a responsibility it is to get behind the wheel of a car with a powerful engine and travel at speeds when, without the necessary experience under controlled circumstances, often the reaction under unpredictable circumstances can be devastating. So, under graduated licensing all novice drivers must complete a two-step licensing process and take two road tests before becoming fully licensed.

The graduated licensing system promotes safe driving. It promotes safe driving habits among beginning drivers in the belief that those habits, once they are learned, will in fact last a lifetime. In my observance of some drivers, I'm not so sure that's necessarily the case, and there may be a call for some drivers—not anyone in this House, of course—who have been driving for some time to benefit from some upgrading. Sometimes the rules of the road are missed, and quite frankly I think we should be doing more in this province to ensure that our drivers understand fully the responsibility that they have whenever they get behind the wheel of a car.

Studies show that the total number of collisions involving novice drivers has dropped by 31% since the introduction of this graduated licensing system. In those collisions, the number of injuries and fatalities involving novice drivers has gone down by some 24%. That particularly is significant, and I want to commend all of those individuals who were involved in the implementation of this important aspect of our licensing system.

With graduated licensing, Ontario is on the way toward achieving its goal of having the safest roads in North America. We are already at number one in Canada, and we are number two across North America, second only to Massachusetts. This government will continue to strive to improve that safety record.

**Mr Bisson:** It was done by the NDP government. Come on.

**Mr Klees:** We have some carping from across the way, Speaker. I'm sure you probably didn't hear it or you would have rebuked the honourable member. I think what he wants is to insert himself into the debate. He, rightfully so, wants to take credit for the one good thing the NDP government did while in office; the one. But it does not cause us to forget the havoc that they wreaked on this province over a period of five years of irresponsible government, taxing and spending and driving business from this province. However, I give to

the member that they did one good thing while they were here, and for any role that they had in the implementation of this graduated licensing system, I take my hat off to him and all of his colleagues.

The issuing of chauffeurs' licences in 1909 grew to include a competency test in 1913. That's how far back the licensing system in this province goes. I'm sure the NDP probably want to take credit for that as well. By 1927, an operator's licence was introduced in Ontario. I'm sure the member from Essex south remembers those days. With 25 examiners employed to test applications, in that first year almost 450,000 operator licences were issued in this province, at a cost of one dollar each. How times have changed. Every step of the way over the past 80-plus years, the transportation ministry of this province has worked to improve its customer service capabilities.

Today, we have more than eight million drivers in this province and more than nine million registered vehicles, yet the need to continue the tradition of customer service and customer service excellence in this province is greater than ever. It is a tradition that was established long ago by the Ministry of Transportation in this province. It's one that we want to continue to support and uphold. No doubt, the volume that we're dealing with today is largely responsible for some of the pressures on the system. I'm sure that other members in the House equally had calls over the last number of months regarding the waiting time for young people to get into line to have their tests—and not just young people, but often immigrants from other countries as well. So it forced the government to take a look and reassess what we could do to make this customer service more efficient.

1650

First and foremost, the ministry's role as we move to this new way of doing business must be as a manager, not as a deliverer of services. There are those, perhaps, who would challenge that in order for a government service to be delivered at all, it must be delivered by government. We don't share that view. In fact, we believe that as long as government maintains the role of managing how that service is to be delivered, often others can do the actual service delivery more efficiently and more effectively, and we have many examples of that. We believe that ultimately transferring some services and programs to other service providers will vastly improve customer service.

The demand for driver testing services in Ontario will continue to grow as our population increases. Thanks to the economic growth in this province, we have that kind of pressure on all government services, whether it relates to licensing or many other areas of government services.

The Minister of Transportation has already made some significant customer service improvements to address this population growth pressure that we have. In 1999, members will recall that my colleague the Honourable David Turnbull, the previous Minister of Transportation, brought in a package of measures to address the customer services problems at provincial driver examination

centres. I know the member for St Catharines will stand in his place and commend the previous minister for the good work that he did in resolving some of those issues.

Under this initiative, the ministry hired more than 300 driver examination staff on a temporary basis. It also opened temporary driver testing facilities and expanded the hours of operation of provincial offices. As a result of this initiative, more road tests were offered and the average waiting time across the province was significantly reduced.

This new bill would enhance our commitment to improve customer service. It supports MTO's intention to find a new service provider for driver examination services. With the passage of this legislation and the eventual move to a new service provider, the province would be able to build on significant customer service improvements in driver examination services that have already been made to this point.

Under the government's proposed initiative, the new service provider would be responsible for things like vision testing. It would also be responsible for examining candidates on their knowledge of the rules of the road. It would take driver licence photos, would book appointments for road tests and would be responsible for carrying out those road tests needed to obtain Ontario's class G1, G2, commercial and motorcycle licences. All told, it would be able to apply the private sector's unique ability and approach to delivery of services with creativity, flexibility and innovation, the same tenets that have made Ontario this country's economic powerhouse. We simply want to draw on the resources, the talent and the initiative that the private sector has and allow them to apply some of that technology, some of that expertise, to delivering government services.

Ontario is committed to the highest level of customer service in all facets of its operation. This initiative that we're discussing today inherent in this bill builds on that commitment. By engaging the private sector in the delivery of driver examination services, the government would continue to maintain, even exceed, the high standards for excellence in customer service that we have come to expect in Ontario. If we can increase the effectiveness of Ontario's driver testing process today, the public would benefit immediately through enhanced efficiency in the delivery of our customer service.

The key, of course, is to find the right service provider. To ensure that the right organization is selected, we have undertaken to initiate a very open process through which competition would be encouraged. A successful bidder would be required to prove its capability in a number of areas before earning the right to deliver examination services in Ontario. It is a process that would demand that all candidates for this role meet a very specific, predetermined set of criteria. When a successful candidate is chosen, the ministry would then develop a very specific service delivery contract, and all of the service then would be delivered under the terms of that contract.

I believe the people of Ontario simply cannot lose with this process, because the whole point of the exercise is to ensure that people in Ontario get better service. I don't think there's anyone in this place who would argue with that. In fact, I fully expect that everyone in this place would stand unanimously and express their support for this legislation.

If the selection process results in a new provider of driver examination services, the service delivery contract with the ministry would contain very measurable objectives, clear milestones for customer service improvements. I think customer service is something that we all deserve, we all expect, and, quite frankly, we often do not get, at least not to the same degree that we have been used to in the past.

We believe that government ministries should set provincial standards and work to see that they are met. It's that accountability that we will ensure stands behind this legislation.

We also believe the government's primary business is to manage services effectively, as I said, rather than necessarily to be on the front lines delivering those services. With the passage of this bill, the Ministry of Transportation would continue to play a key role in licensing drivers right across this province. It would set all of the licensing policies, it would set all of the fees, and it would set all of the standards under which this service delivery contract would function. It would focus its efforts on seeing that those standards are met. It would be very carefully scrutinized, and every member in this place can rest assured that the standards of service will not be compromised, that this initiative will indeed be in the public interest.

The goal here, as I said, is to improve customer service. The people of Ontario—

#### *Interjection.*

**Mr Klees:** To the member for Hamilton East, I'm sure that probably a good portion of this bill has come forward because your constituents have called for it. They've been demanding better and more efficient services, so they will look forward to you standing in your place and supporting this legislation.

Others have already spoken to the bill's benefits with respect to enhancing government accountability, but from my perspective the real importance of this bill is simply that it will bring better, more efficient and cost-effective services to the people of Ontario. As members and elected representatives of the people, I believe we all have an obligation to support measures that will result in better service to the public, not only in the area of transportation but in many other areas. We'll have an opportunity over the course of the next number of months to talk about how we can bring similar service delivery changes to other areas of our public service, to other areas in our province.

1700

The Minister of Transportation has been working hard toward the goal of improving customer service right across this province. This work strongly supports this

government's goal of achieving more efficient government and improving government service through alternative service delivery. It underscores the government's role as a manager, not necessarily as a deliverer of that service.

In this day and age, customer service has become a highly specialized field. Companies that are good at it generally do very well, and those that are not very good at it are often doomed to fail. In managing services that are delivered to the public, the ministry plays an important strategic role in Ontario's transportation sector, a role that embraces all transportation models and the dimensions of provincial policy, planning and management.

In terms of Ontario's policies, fees and standards, the proposed act makes it crystal clear that MTO would continue to effectively manage the delivery of these services.

This government made a commitment in its 1999 Blueprint, and in the most recent speech from the throne it was reiterated, that government must be more accountable to provincial taxpayers. One important part of that commitment is to ensure that services are delivered in a safe, efficient and high-quality manner. To fulfill that commitment in the throne speech and in the Blueprint, we are determined to explore new and innovative ways of improving customer service. Wherever it is practical, wherever it is safe and wherever it is cost-effective, we will do so, and we will do so with the co-operation of the private sector. We will provide the necessary oversight that is the role of government and the responsibility of government, and we will do so in the interests of the people we serve.

This bill represents an important step on the way to achieving those objectives. I therefore ask that all members join me today in support of second reading of the bill. I know the great gathering of members in this place today—all of the people who are observing us in the galleries today, who have come here to watch the proceedings, to observe the debate on this important matter, will probably want to stand in their place to applaud, but of course that would be out of order and so they wouldn't do that. But I do invite all of our colleagues to stand in their place, support this legislation, and give the people of Ontario efficient, effective, responsible public service.

**The Deputy Speaker:** Questions or comments?

**Mr Pat Hoy (Chatham-Kent Essex):** I am pleased to rise on the occasion of this debate on Bill 65.

I want to read from an Ontario Ministry of Transportation news release dated just within the last few days. "Queen's Park, September 28: The Ministry of Transportation (MTO) is replacing workstations and computer equipment at all driver and vehicle licence issuing offices and driver examination centres across the province between October 2001 and January 2002."

Isn't it ironic that we're discussing a privatization bill as the government is replacing equipment within their

own offices, to then turn around and privatize the whole of the licence-issuing offices?

*Interjections.*

**Mr Hoy:** Then, as my colleagues were stating some kind of sell-off, how can the government be so bold as to start to replace workstations and computer equipment on this very date as we debate the privatization of the very sector they're talking about?

Oh, of course. Let's spend lots of money in the run-up to the privatization. Let's spend it now so that when our friends come in they have the best of everything, at the taxpayers' expense. That's what I believe this is. The taxpayers are going to pay for this, and the friends of Mike Harris are going to benefit in the wildest of ways.

We know the Provincial Auditor has questioned this government in the past on their privatization. He said that privatization has not saved any money and "may ultimately result in significant increases in the cost of highway maintenance." Here we have them setting it up. They're setting it up for their friends.

**The Deputy Speaker:** Questions and comments?

*Interjection.*

**The Deputy Speaker:** The Minister of Labour isn't in his seat.

**Mr Bisson:** It always amazes me when the government gets up and introduces their new measures that are supposedly going to be saving us some money. Let's look at what actually happened.

People in Ontario have had to wait long periods of time in order to get driver exams. For what reason? The simple reason is that the government, back in 1995 upon taking office, reduced the staff of the Ministry of Transportation significantly, including at those offices, thus resulting in long lineups of people having to wait in order to get their driver exams.

*Interjections.*

**The Deputy Speaker:** Order. Stop the clock. We're not going to do this. We don't need these conversations across the floor when a member is trying to speak. We have one particular minister out of his seat. The member for Timmins-James Bay deserves to have the floor without this chorus of—I think I'll leave it there.

**Mr Bisson:** As I said, in 1995 the government moved to reduce the amount of staff at MTO, including the driver examiner offices. They reduced the staff significantly, and as a result we ended up having long lineups, long delays for people to get their appointments in order to get their drivers' tests. The government says, "Look at us. We went out and hired a bunch of temporary people in order to fix the problem." Now the long-term solution they've got is to come in and privatize the service.

Pardon me if the public and a whole bunch of other people around here are sceptical about this latest scheme on the part of the province, because they're the ones who created the mess, just like John Snobelen said back in 1995 upon taking office as Minister of Education. What did he say? "I will create a crisis in education in order to create the backdrop necessary for me to go out and make

the changes I want to do that fit with the ideological beliefs of the Tory party." The Tories are the ones who created the crisis in driver examination offices. They're the ones who laid off the employees, and then they say, "Oh, well, we've got to fix the mess." It's a mess you created.

I would submit that privatization is not the answer. The answer is to allow that to happen under public control. We know, in instances where you've already privatized, that we haven't saved any money. You only have to look at the road maintenance contracts that were issued by the ministry to see that we haven't saved anything.

**Mr Bert Johnson (Perth-Middlesex):** I want to start off by addressing the three members from our caucus who spoke: the Solicitor General—the member from Don Valley—the member from Oak Ridges and the member from York North.

I want to suggest that some of the points they brought out are particularly useful for me in my riding. I happen to live in what was the town of Listowel, and we don't have a driver examination centre there any more. People ask me about that. I think they would want me to be on my feet today in this Legislature saying that if we can make the provisions so we can have that kind of service back in Listowel at a reasonable cost, this government should be given the credit for doing that.

We have people in our town, those approaching 80, who have to have mandatory drivers' tests. I guess the closest place they would go to is Stratford. That's about 35 miles away—I'm a little old-fashioned. It's not easy to make the appointments and keep them, to drive there and do that. So if this innovative project by the Ministry of Transportation will make those kinds of services available, particularly to my friends and constituents in Listowel, I think that's a very forward move. That's why I wanted to get on my feet today to compliment those members of my caucus who were speaking in favour of this bill. I want to say I will be voting for this bill, giving it my wholehearted support, and I hope it will help improve services to drivers in Ontario.

1710

**Mr Bruce Crozier (Essex):** While pontificating about the service this government would like to provide to the residents of Ontario, I would have thought the member for Oak Ridges would speak up about the closing of the driver examination centre in Leamington, his old hometown. Whom can you depend on if you can't depend on those people who knew you best in the past? But what he's done is say, "To heck with all those elderly residents in Leamington and area who need that service, who don't want to go into the city of Windsor or the city of Chatham for their driver examination." I would have thought he would speak out in support of them. But no, they don't matter to him any more. It's not a question of service; it's a question of simply making the service so bad that you have to put it out to somebody else.

Some problems come along with that. Recently I saw, I think it was on 20/20, about the privatization of

licensing in New York state in the last year and how fraudulent it's become. All you have to do is pay off the examiner. Where's the accountability in that when you can't go to the government and ask why that's to be stopped. We've seen more recently and tragically where there has been fraudulent issuing of licences to drivers of hazardous material vehicles.

**Hon Mr Stockwell:** That's in the States.

**Mr Crozier:** The Minister of Labour says that's in the States. Everything you guys compare the best to is in the States. Well, I'm saying it isn't always that great. I think that accountability is the question here, and we're not going to have it with privatization.

**The Deputy Speaker:** Response?

**Mrs Munro:** Thank you to the members for Chatham-Kent Essex, Timmins-James Bay, Perth-Middlesex and Essex, who made comments with regard to this legislation. I think that in looking at what the members have said collectively, there is the need for better service. The hallmark of this particular piece of legislation is the fact that there is a need to provide better service for people across the province. It seems to me that the kind of situation we are addressing here today is based on the fact that we have eight million drivers today and we have more people all the time who are seeking to become drivers. So the thing is that we have to look at methods by which those services can be closer to home, and can be more flexible and innovative. That is the key this legislation represents. It's a way of finding service providers who will meet the kind of standards we are looking at.

We're also looking at providing for constituents like those of the member for Perth-Middlesex in a shorter turnaround time than is currently available. That's precisely why it is necessary for us to support this bill.

**The Deputy Speaker:** Further debate?

**Mr Hoy:** Mr Speaker, I'll be sharing my time with the members for Prince Edward-Hastings, Sudbury, Windsor-St Clair and St Catharines.

I want to revert back to the moment when I had a chance to comment on comments made earlier by the government side. I just want to repeat that the Ministry of Transportation is replacing workstations and computer equipment at all driver and vehicle licence-issuing offices and driver examination centres across the province between October 2001 and January 2002. Isn't it ironic that we're discussing a privatization of this very part of the Ministry of Transportation? We're talking about it today on October 1 and it says here that, beginning October 2001, we're going to put computer equipment and replace workstations and then we're going to privatize the whole thing. This is really bold, in my view. It flies in the face of the taxpayers of Ontario. It's a slam at them, most directly, and it's a slam to the people who work at MTO that they had to work with substandard equipment and, now that new equipment is coming in, they're going to privatize the whole thing.

So what were the people working at MTO working with before? They must have been working with

substandard equipment. Now we're going to privatize and going to have the best of everything that this technological world can provide. This is a slam to the taxpayers and it's a slam to the people who work at MTO that they would do that at this time and to the families who worked for MTO with loyalty for years and years on end. That the government is doing this is nearly scandalous.

In the first place, it would appear that every minister went to the John Snobelen School of Create a Crisis. Every minister must have watched that tape and said, "Look, the way to get anything done in the Legislature of Ontario must mean that we have to create a crisis. The crisis we will create is this one: We know that the G2 licence graduates are coming along and after five years are going to have to come back in and be tested. We'll ignore all the warnings that we've heard from sound individuals that this was going to occur. We'll even ignore our own common sense," which they purport to have, "and we'll just ignore all that."

There were lineups and lineups and lineups of desperate people trying to renew their licences, working families trying to ensure that they had a valid licence in order to go to work to provide for their families. There were students—many, many students—who were going to university who required that transportation in order to achieve that goal at university or college, or perhaps in the workplace. Many of our university students must now have jobs because of the escalating costs of tuition and therefore need a vehicle to go to work after their schooling is complete during the day.

I have just a few samples of the requests to my constituency office pleading that the government do something about the 10- and 12-month waits to get their licence. Their licences were expired or expiring. I know that every member in this House has received countless numbers of people who could not get an examination: a 12-month wait for booking; called in January, licence expires in August, testing is in September; called in August, appointment is in the following January; called in April, test in November, job involved. All of these people—and this is only a sample. I couldn't carry them all here, but I brought many, many of them for the people to see here in this House, and I know that others have the same.

Not only that, since the government doesn't trust the integrity of my constituency office, here are press releases talking about the same issue: that people couldn't get their licences in a timely manner.

This is by Donald McArthur, Windsor Star: "Chatham was booking G2 tests Monday for January 10, 2000 and G1s for Nov. 5. Sarnia was booking G2s for March and G1s for December." So if you don't believe the integrity of my constituency office, the press is also verifying this.

1720

The point is, the government created a crisis once again, and said, "The only way to solve this is to privatize. This will be what we'll hinge everything on." People see that the services at MTO were not timely, and

that was because of government mismanagement. That's plain and simple. They knew for five years that was coming. The government was warned. They had five years to prepare and they did not act nearly soon enough. There were no new offices created, the resources weren't there—10-month waiting lists, and some much longer. You put students, working families and people across Ontario into quite a dilemma. I know that members' offices were called in this regard.

What do we need to do? The government says, "We need to rush in and fix this. You know what we should do? We should privatize it." Wrong. That's the wrong road to head down. There is little assurance that driver testing will improve under this bill.

The minister says that he would like people to get their licence within a six-week time frame. There is nothing in the legislation that guarantees that people will get their licence within six weeks. It's just bluster on the minister's part; that's what it is. It's his statement to have people believe that privatization will somehow be better.

There will be no guarantee of improvement for urban residents, and we have strong concerns about the service that will be given to northern and rural Ontario. We are concerned that those services may diminish. After all, in a privatized situation, profits are the motivational factor, and people will look at the bottom line, the investors in this privatized company that's going to operate in this transaction, and they will say, "Perhaps we don't want to be in northern Ontario. Perhaps we don't want to be in rural Ontario. Would we like to be in the great metropolitan areas? You betcha." They will go there; they will want to be there. But we're very concerned about rural and northern Ontario. Not only are we concerned about the possibility of new offices, we're concerned about the existence of the offices that are in place now and what the motivation for profit will do to those communities and those offices.

I want to remind the members opposite that I've spoken about this many times in this House, that you closed an office in Ridgeway. The member for Essex has just mentioned that you also closed offices in Leamington, which happens to be part of my riding now. The people in those communities pleaded with the government to leave those offices open. If the government wants rural economic development, they have to leave some structures in place that will assist the people into the future, and closing these offices is not helping rural economic development. Car dealers are having difficulty with this situation. The people who live there and who want to avail themselves of a driver's examination are having difficulties. It just seems that rural Ontario is kind of an afterthought with the government. They treat northern Ontario in similar fashion. But you're working against rural economic development when you start to close down schools in rural Ontario, when you start to take away the institutions of government that we have all known and treasured.

The government says that privatization is their new venture and their new ideological bent. I think that the

people in Walkerton and the tragic events that happened there would really question your blind ideology-driven agenda for privatization of vital government services. Vital government services need to remain in place. We need to ensure that we don't have a reduction in standards and a reduction in services.

With the events that we saw on September 11—if the government doesn't want to heed or listen to my comments about Walkerton and that situation—more than ever, that tragedy has underlined the absolute necessity of a strong public service dedicated to protecting its citizens through rigorous standards, thorough inspections, mandatory testing and strict enforcement. We need dedicated professionals reporting to a responsible government, not hourly employees paid by a private company that is not accountable.

I mentioned that the Provincial Auditor has commented on cost savings through privatization and the privatization of highway maintenance.

His 1999 report showed that privatization had not saved any money and "may ultimately result in significant increases in the cost of highway maintenance." The auditor expressed grave concern that in privatizing highway maintenance the government acted against Management Board policy in the fire sale of taxpayer-owned maintenance equipment worth \$6.5 million.

That brings me back to my first comments about installing new workplace stations and equipment at this time, now, just a little ahead of the passage of Bill 65, in order to facilitate privatization. What accountability will there be for the taxpayers of Ontario in this sell-off? As I say, I really do find it an affront to the people who worked at MTO that they would now upgrade the equipment. It is an affront to those workers.

If it's not savings, then what's the government's mad rush here? Is it to improve services? What guarantees are there for improved services? There are none in the bill. There is no guarantee that the people of Ontario will wait no longer than six weeks to obtain a road test. There are none whatsoever.

This bill is a fundraiser's delight. Mike Harris is selling off Ontario bit by bit to his friends. The member opposite was asking where these people will come from who will take over the MTO and these services we're talking about today. They will come from the front row of Mike Harris's fundraisers; that's where they will come from.

The Minister of Transportation has made some quotes about this bill in the past. He said, "In the months ahead, our government will continue to examine government assets and the important services it delivers." So the government may not be ending with this particular privatization. They may be moving on to more. "We will continue to pursue alternate delivery." The pursuit of alternate delivery was mentioned many times by the government members here today. That's code for, "We are going to privatize yet other parts of the ministry."

"We will continue to examine innovative options to improve how services are delivered to the people of

Ontario." They are going to examine innovative options to improve services and delivery to the people of Ontario. Those, I believe, are more words meaning privatization; there is no guarantee in this bill that the government would not.

We are concerned about the services and locations, such as rural and northern Ontario. As well, we're concerned about the higher costs. Driver testing companies are free to offer additional for-fee services. The concern we have is that people taking drivers' tests may feel pressured into purchasing these additional services in order to pass their test. They're going to allow for other sales within that office, all sanctioned by the minister. However, we believe there could be pressure put on those people seeking a driver's examination to buy other—whatever the government may deem reasonable—packages in order to provide profit to this company and to acquire, in the end, a licence.

Private companies have access to MTO databases and confidential driver record information. The government claims that there will be protection here and there will be private sector confidentiality here. But we know what happened at the Province of Ontario Savings Office with the confidentiality of people's monies. It didn't work at all, so we're very concerned about this.

This is a new addition to a bill that we haven't seen before, this confidentiality and privatization, and it's only in Bill 65, as I'm aware, to date. It raises the question about all the other bills the government has brought in that don't have this protection. If this is so good for Bill 65, how come it's lacking in all other bills that we've seen to date?

The company's best interest, since they are motivated by profit, may be to fail drivers, assuring that they would have to pay for even more driver testing. The motivation here is clear: it is that of profit.

In 1963, the Minister of Transportation felt his most outstanding achievement in government efforts to develop greater public safety was to bring driver examination into the public service. He felt it was his crowning achievement. James Auld said that the conversion from a fee examiner system to one that is staffed entirely by trained civil service examiners was a highpoint in improving public safety.

1730

**Mr Agostino:** Was Norm Sterling minister then?

**Mr Hoy:** No, Mr Sterling was not, I don't believe.

Prior to this initiative, drivers' licences were for sale in Ontario, and it was rife with corruption. Mr Auld, to his credit, took that back under the government's wing. I think it was a well-founded and a progressive move.

One of the dangers in this act of course, as we peruse it from front to end, is that the province cannot be liable for any act by a delegate or sub-delegate. So the province will not be liable. It won't be liable for any of these delegates or sub-delegates. That's very telling. They have a piece of legislation, and once they privatize it, they wash their hands of it and say, "We cannot be liable."

Furthermore, the standards that the government talks about that they want to institute are not in the act.

We should have hearings on this bill, there is no doubt about it. The people of Ontario are seeing a massive change to the way this service is delivered. We should have hearings, most definitely.

In the government's opening comments to this bill, they talked about "new service providers," they talked about "other providers" and they talked about "alternative services." That all means privatizing driver testing, and it opens the door, I believe, to future sell-offs of government entities.

Government members talked about the professional skills that exist within the MTO. I heard it from across the way—multi-skilled. They talked in glowing terms about the people who work at MTO, very glowing terms, and I concur with those ideals. Then they turn around and say, "We hope the private company that takes over this service will hire these wonderful people." We have a very skilled workforce here. We have a government that mismanaged the system. With five years of warning, they continued to mismanage the system. I'm talking in terms of G2 licences. The government talked about the successes of MTO, and then they still are bent on privatization. Their own comments fly in the face of what they're doing. Their own comments fly in the face of the direction they want to take.

There's one thing the government members did not mention, and I think it's very important when you're talking about professional skills, multi-skilled people who upgrade in a regular fashion to provide the best services for the public in Ontario. They did not mention institutional memory, and it's very important. These people know the history of what has gone on in Ontario, and that is something that can be lost here with the privatization of these MTO services. Institutional memory is very important. They know the people who will challenge the system. They know how they might try to do that, and they have been dedicated to ensuring that what we have here in Ontario is the best system available. It's the best system available, and they are ensuring that.

At a time, as I said, when people have questioned and are certainly questioning public service and their high regard for it since September 11, I think we need to ensure that the very best services are given.

We will be voting against this bill, quite obviously, for the reasons I've given. There are no guarantees. Just think back to the minister's own words: "We will continue to pursue alternate delivery service." We believe that may include school bus and truck inspection and new highway inspection. I believe that is the future direction of this government, because they have not said that they categorically would not move in that regard. I would hope that the government would not continue in this mad rush to see Bill 65 passed into legislation.

I thank you for the opportunity to make these comments.

**Mr Parsons:** Here we go again. Every time this government announces an initiative that will improve service, I know the people in northern Ontario, eastern Ontario, virtually everyone in rural Ontario, are going to take a beating on this. They've been setting it up, and here we go again. It's an Alice-in-Wonderland government we have. When they say, "We're going to set up a system that's more accountable," they really mean less accountable.

With the present system, we as MPPs can deal with concerns that come from constituents who are unable to get a licence. With the new privatization, it puts a buffer in there. We probably won't even, as a public, have access to the contract, let alone what all the conditions are. Everything is in code with this government, and this is another example.

The people of Ontario pay taxes for services. They understand that. Several weeks ago I read a column in a newspaper by a gentleman named Linwood Barclay, who said, "Now people understand what their tax dollars go for—they pay for firefighters, they pay for police officers, they pay for ambulances." They pay for driver testing. It is a service that the people of Ontario demand and want.

I would suggest, as an aside, as people watch the driver testing being privatized, they need to ask themselves, "What's next?" Are we going to have for-hire police services? Are we going to have the low bidder for fire services? The reality is that no one in this province wants low-bidder fire services, hospital services or driver testing.

Driver testing, although not extremely high-profile, is a job with an awesome responsibility. We are taking our young people, giving them a motor vehicle—which, by the way, happens to be the leading cause of death for young people. It is extremely important that we have every assurance that drivers are qualified before they drive.

We are taking other young people and giving them 18- and 24-wheel trucks and having them travel down our highways, and it is important for all of our safety, as much as for police, as much as for fire, that the drivers be fully qualified.

The testing is being done now by examiners who are absolutely impartial, not worried about making a profit at their particular location, but worried that they do a responsible job and ensure that the driver they're issuing the licence to is going to be a safe driver. We're not seeing that happen with the potential of a privatized firm that removes our right as a Legislature and the public's right as citizens to impact on this.

What this government needs to worry about is having fewer spin doctors and getting some more real doctors for this province, because over and over we're seeing a proliferation of spin doctors.

I represent a rural riding. We have rural testing offices that we know don't make a profit. Hospitals don't make a profit, but they're a necessary service. I would suggest

rural testing offices need to be provided as a service, not as a profit centre for some private firm.

Our young people who need their test would like access to the testing office. But of even greater concern, as we're seeing the rural offices closed down and moved into larger locations, is that I'm having seniors come to me who say, "I'm very, very comfortable driving in my community." I spoke to a senior citizen from Picton who said, "I'm fine in Picton. I can drive from my house into town to buy the groceries. I don't travel outside of the county. I simply need access to the stores in town. But now I'm being told that I've got to drive to Kingston or I've got to drive to Cobourg. I've got to drive to a much larger municipality to take the test." But the test doesn't reflect where that senior actually drives every day.

#### 1740

We've watched what this government has done. They improved services to our agricultural community by getting rid of ag offices. This is now on the same trail of improving service by getting rid of service—back to spin doctors.

We need to set aside the concept that somewhere out there is a firm that has not yet been rewarded with a contract and that we need to pay them with this contract, but recognize that the responsibility of government is to provide the services. From a profit viewpoint, if this government had its way, there would be one office in Toronto that does all the testing for all of Ontario. That would be by far the most economical, but it would be a shambles and a disgrace to the province for the citizens. We don't need to worry about the profit item on everything as long as we are getting value for our services, and we have very clearly shown that we're getting value for our driver testing when they are allowed to operate as they should.

This bill provides for standards. Everyone understands there need to be standards. I was an engineer with the Ministry of Transportation. We had standards for provincial highways. But when they wanted to build the private highway, when they wanted to build 407, they said, "Standards don't have to be the same for a private highway as for a public highway," and they altered the standards. Since these standards are not contained in this bill but in fact will be set by regulation into which no one has any input, there is a potential of saying, "These standards are interfering with the profit item. We can alter the standards." Standards are flexible with this government. Standards should not be flexible.

We've seen railways in the 1960s make their passenger service so inefficient that people quit riding them. The railways then said, "No one rides the railways. We need to be allowed to abandon them." It is very easy, as this government has done, to make the services provided very inefficient. They will then respond to us by saying, "Nobody wants to use these rural testing offices," when in fact the onus or the pressure should be to make them more efficient, more responsible.

We've seen how efficient this government is. The member for Chatham-Kent Essex just shared with us the

news that effective today this government is going to be replacing all of the computers in the motor vehicle testing offices. What that means is that when the first contract is let to the privatized firm, it will look extremely efficient because the taxpayers have picked up all the costs for the upgrades.

When this government privatized highway maintenance, they almost literally gave away the trucks. We can still see them on the road with the signs over top the ministry trucks. Trucks that were bought, were paid for, were owned by the people of Ontario were almost handed to these private contractors. I challenge anyone in Ontario to tell me that the roads are better plowed now than they were 10 years ago. They are not. We used to in Ontario bring in people from the other provinces and the other states who wanted to know how we maintained our highways in the winter, because we were the standard for North America. Now it's a disgrace. Now our people need to go and examine other areas. It's simply a disgrace the way we've gone. I would suggest to the people of Ontario that what has happened with the privatization of highway plowing in the winter is what will happen with the driver testing.

The graduated licence: good concept, really mis-handled. Maybe this should have happened five years ago, to explain to the minister that when someone gets a new licence for the first time and the ministry has a plan set out for them to return, they will return. It should not be a surprise. When a certain number of students leave grade 3, the school boards know that they will show up in grade 4. When people leave a driver testing office with the one step in their graduated licence, they will be back for the next one. Do not be shocked.

I know this government is rather proud of the accident rate being down in Ontario, but I drive into Toronto and I'll tell you, the accidents get much less severe when you're not moving. The property damage is almost zilch when you and everybody else around you are doing two kilometres an hour. Gridlock has been the only safety initiative initiated by this government since they came into office, but it has also hurt industry terribly.

I know this government is saying words like, "We will have these professional employees hired by the new employer," and that's true, they will, but it will be at lower wages. But the licence fee will stay the same. Fees should really concern the people of Ontario because, although we're hearing the "lower taxes" mantra being preached, we're seeing fees instituted in a daily and insidious manner. I know the fees are going to be set by this government, but I also know that there are other services that they'll be allowed to provide.

When I was growing up on the farm, there used to be a fly called a warble fly. It was a rather insidious little beast that would get inside a cow and would do all kinds of damage. I think the Italian word for it was Tory fly, but I'll stick with warble fly. This warble fly would do a lot of damage while still unseen, and then when it came out into the open, the damage was already done and it was too late to do anything with it.

But there used to be a gentleman—and he was privatized; he was hired by this government—who came around to the farm each year and inspected each of the cows for warble flies. At the same time that he was inspecting, he would mention to us that he had warble fly powder for sale. Now, we could have bought it at the co-op or anywhere else. He was selling it at about double the price. But my father always said to me, "Buy it from him. It will make it easier for our cows to pass the warble fly test." So even though we were under no pressure to buy from him, we bought it.

Here we've got these private firms that will have their fees set by the government, but they will also offer other services at their own fee. So the examiner could say, "Before we actually go out and do this test, would you like to buy this safe driving handbook? Would you consider purchasing this defensive driver course?" For that senior or for that young person, I can assure you that is a very intimidating offer that privatized firm will make to them. They will buy it. It's not enough that the company will make money just on the testing, but they're going to intimidate people into buying these other privatized services that shouldn't be there.

I think it is disgraceful that we would force the citizens of Ontario to purchase—

*Interjections.*

**Mr Parsons:** Of the speeches given here earlier, I think if they had been given in their original dialect, there would have been a Texas accent to them as they were read. We are following some US states in patterns that have not worked there, but by golly we've got to show they work here.

I think this government is trying to pass the buck to make a few more dollars for a few more friends—I guess there is an axiom you can buy friends—and we're seeing these privatized services go to very carefully selected individuals. The people of Ontario will suffer, the seniors will suffer and rural Ontario will suffer. This is a bad bill. I certainly will not be supporting it, and I think it needs to be rethought and withdrawn.

**Mr James J. Bradley (St Catharines):** This bill is indeed all about providing a financial benefit for friends of the government. Make no mistake about it, this has nothing to do with public safety. It has nothing to do with convenience for the public. There is a mantra that permeates this whole government; it's a mantra that is purveyed largely by Guy Giorno, the person whose notes the Walkerton inquiry could not get at. They had to have a raid, you'll remember, of the Premier's office to try to get the notes from Guy Giorno. So he's the person I'm talking about. I wanted to put it in that proper context.

What happened, of course, was that the government wasn't prepared for the graduated licensing cohort, as we can call it, because you talk about double cohorts. This was a huge cohort coming in, a huge group of people who would have to be tested as a result of graduated licensing.

I must ask my colleagues—I actually thought the Conservative government brought in graduated licensing,

the way they were extolling the virtues of that measure. As I recall, it was the NDP who brought it in. But to listen to the government members, you would think somehow it was an innovation hatched in the mind of Mr Turnbull, the minister who is now the Solicitor General.

But here's how it's going to work, so people out there know, so the editorialists who might watch this might know, because they may be eating supper and watching this at this time. What they should know is that the Tories will be lining up at the fundraiser to have the right to operate this private business.

There will be a collision, I can tell you that. The collision will be between the people running to the fundraiser who want a new franchise to sell booze in some places and those who are coming to the fundraiser to have the opportunity to in fact test people and their driving. So that's what it's all about. The message has already gone out to the Conservative presidents: Get your people lined up. When you send out your fundraising letters, say, "Here comes another lucrative business for you, because our government is going to provide it to you."

1750

You have to know that what these people are all about on the other side—the Fraser Institute crowd, the Reform Party look-alikes—is discrediting public services. The Minister of Labour knows that; he's one of them. He knows that what you do is create the crisis, the crisis of confidence in a public service, and it gets so bad, it deteriorates to such an extent, that the public then accepts something they normally wouldn't accept.

They're trying to do that in health care. My friend from Sudbury would tell you that up in Sudbury. What they're trying to do in health care is the same thing: you create a crisis of confidence so that then you can start privatizing, and people in desperation will accept that.

May I draw an analogy? I was just thinking of it; it just came to mind. At Sunnybrook hospital there's new radiation treatment available at night. Now, that could have been done by Sunnybrook hospital if the Ontario government had provided the appropriate funding. Instead, they privatized it, gave it to the private sector.

**Hon Mr Stockwell:** You're thinking of the MRI.

**Mr Bradley:** No, no. I'm not thinking of the MRI. I know you're doing that as well. They're doing that as well with MRIs. They want to follow Quebec. They want to follow the lead of Quebec and of Alberta.

The former health minister here is shushing you. I understand why she would be shushing the Minister of Labour, because I saw—

**The Deputy Speaker:** Through the Speaker, please.

**Mr Bradley:** Through the Speaker. You saw as well, I think.

When the Leader of the Opposition stood up with that document leaked to us by Frank Mazzilli—I apologize; that's not the case. I can't say that—leaked to us by a government member somewhere, the information in it said, "We're to calm things down in the Ministry of Labour." So now we have the Minister of Labour

interjecting in every other portfolio there is instead of worrying about labour. We were anticipating his tribunals bill. I would have opposed it, of course.

**Interjection:** He backed down on that one pretty quick.

**Mr Bradley:** He backed down on that. He buckled under the pressure. I understand that he would have to do that.

But let me get back to the bill, because I think it's important we talk about that. Some of my colleagues have been right on when they have said what happened was this. Here's the scenario: this large cohort of people came in looking to be tested, so the government, on a temporary basis, hires them on.

The member for London-Fanshawe has got to be worried that they're going to start doing this with police services, that they're going to privatize that. Do you know how many private police services there are now in communities? And that is exactly what's happening. I want to warn him to be ever vigilant. Maybe as a result of my speech this afternoon they won't do it, but I'm going to tell you, they were thinking of it.

So there was a long lineup of people. They were phoning our constituency offices. So on a temporary basis, the government hired some people to do the testing. They had created this crisis, and now they say, "We have the perfect solution. All you have to do is privatize it."

Well, we had a lot of very good public servants there who were trying to do their job. Did they have enough staff? No. Did they have enough resources? No. Did they have the backing in the government? No. And we could have good public service—I've never said the government should be making steel or making cars or in a number of businesses and manufacturing; governments shouldn't be in those. But government should be in the business of public service, and this is an important public service.

Mr Hoy, who is our critic in this field, pointed out what happened in New York state. Fraudulent activity was taking place. People could slip some money under the table and get their licence, apparently. Others have mentioned as well, of course, that they would say to them, "Maybe if you took this additional course with our company, maybe if you took that course for a few extra dollars, you might have a better chance of passing." Now, some people will say I'm just being overly suspicious, but I'm not.

*Interjection.*

**Mr Bradley:** Only the Minister of Labour.

But what we have to bring this down to is what it is all about, and that is a fundraising scheme for the Conservative Party. That's exactly what it is. There is a building boom in Ontario that continues, and that building boom is building new halls for the Tory fundraisers. I know that in the Niagara Peninsula they all flock to the Premier's dinner. I can't get them to my fundraisers very much because, of course, we don't have all the largesse you people give out, not that we would

anyway. Of course we would never do that. But they come to the Premier's fundraisers. Even people I know who aren't Tories show up. They are waiting, because they heard my friend Norm Sterling, who was elected the same day I was, June 9, 1977—a wonderful day in Ontario for Mr Sterling. He recognizes that when they have these franchises to give out—the local Tories are rubbing their hands; they can't wait to get their hands on the money.

So what do you do? You send out the fundraising letter, just as—who is the guy with Trillium? Rob Power? Is that his name? Rob Power, I think it is, Mr Power from the Trillium Foundation. He got all the names of the people who are on these review committees in all the communities—

**Mr Frank Mazzilli (London-Fanshawe):** You call that networking.

**Mr Bradley:** Networking you call it—and he sent out a fundraising letter to all of them. I thought, "What a misuse of a list."

Speaking of lists, my friend from Etobicoke North would be worried about this. We all remember what happened with POSO, the Province of Ontario Savings Office, in regard to confidentiality.

Tell me—I'm going to ask Mr Hoy again—is it not true that the Ministry of Transportation was putting out information as well, selling lists to people? It's not right that they should be doing so. But of course they want to have those tax cuts for the richest people in the province, for the corporations—\$2.2 billion. In order to do so, they have to bleed the money from somewhere else. So to get money they sell lists and introduce new user fees. I have now counted 1,172 new user fees in the province of Ontario, new or increased, including—

**Mr Rick Bartolucci (Sudbury):** The vehicle registration tax.

**Mr Bradley:** The vehicle registration tax in northern Ontario as well.

I recognize very much that while you people may say you've cut taxes, people of modest income, people who have not much to live on are the people who have to pay these user fees. The user fees don't bother the rich people; I'll tell you that. They do not bother the rich people in this province. Conrad Black—oh, he's gone now. Has he gone to England now?

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** Lord Black.

**Mr Bradley:** Sorry, Lord Black. Is there another title they use there? Lord Black, His Excellency or whatever you call him—Lord Black, as he is called now; he has his peerage. Anyway, he still has a residence in Mr Turnbull's riding. He still has a residence in the riding of the Solicitor General of this province. If one were to look carefully, although he didn't part easily with his money, we might well find he has made the odd donation, either moneywise or in kind, to—I used to call it the Progressive Conservative Party of Ontario, although it's hardly that any more; it's the Reform-a-Tories we have in power now.

*Interjection.*

**Mr Bradley:** Let me make an exception. The Chair of Management Board is an exception to that. He is one of the few Conservatives, and my good friend from Wellington is as well, Ted Arnott. There are still two Conservatives left in the province.

I see that we're close to 6 of the clock. I think I have registered some salient points with this House. If I may summarize very quickly, this is simply a fundraising scheme for the Conservative party of Mike Harris, the discrediting of a good public service and a move that will not benefit drivers and consumers in this province.

**The Deputy Speaker:** It being 6 of the clock, this House stands adjourned until 6:45 of the clock.

*The House adjourned at 1759.*

*Evening meeting reported in volume B.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Agostino, Dominic (L)	Hamilton East / -Est	chief opposition whip / whip en chef de l'opposition
Arnott, Ted (PC)	Waterloo-Wellington	Parliamentary assistant to the Minister of the Environment / adjoint parlementaire à la ministre de l'Environnement
<b>Baird, Hon / L'hon John R. (PC)</b>	Nepean-Carleton	Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué au dossier de l'Enfance, ministre délégué aux Affaires francophones
Barrett, Toby (PC)	Haldimand-Norfolk-Brant	Parliamentary assistant to the Minister of Natural Resources / adjoint parlementaire au ministre des Richesses naturelles
Bartolucci, Rick (L)	Sudbury	deputy opposition House leader / chef parlementaire adjoint de l'opposition
Beaubien, Marcel (PC)	Lambton-Kent-Middlesex	
Bisson, Gilles (ND)	Timmins-James Bay / Timmins-Baie James	chief New Democratic Party whip / whip en chef du Nouveau Parti démocratique
Bountrogianni, Marie (L)	Hamilton Mountain	
Boyer, Claudette (Ind)	Ottawa-Vanier	
Bradley, James J. (L)	St Catharines	
<b>Brown, Michael A. (L)</b>	Algoma-Manitoulin	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président de la Chambre et Président du Comité plénier de l'Assemblée législative
Bryant, Michael (L)	St Paul's	
Caplan, David (L)	Don Valley East / -Est	deputy opposition whip / whip adjoint de l'opposition
<b>Carr, Hon / L'hon Gary (PC)</b>	Oakville	Speaker / Président
Christopherson, David (ND)	Hamilton West / -Ouest	
Chudleigh, Ted (PC)	Halton	Parliamentary assistant to the Minister of Economic Development and Trade / adjoint parlementaire au ministre du Développement économique et du Commerce
Churley, Marilyn (ND)	Toronto-Danforth	
<b>Clark, Hon / L'hon Brad (PC)</b>	Stoney Creek	Minister of Transportation / ministre des Transports
Cleary, John C. (L)	Stormont-Dundas- Charlottenburgh	
<b>Clement, Hon / L'hon Tony (PC)</b>	Brampton West-Mississauga / Brampton-Ouest-Mississauga	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
<b>Coburn, Hon / L'hon Brian (PC)</b>	Ottawa-Orléans	Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Colle, Mike (L)	Eglinton-Lawrence	
Conway, Sean G. (L)	Renfrew-Nipissing-Pembroke	
Cordiano, Joseph (L)	York South-Weston / York-Sud-Weston	
Crozier, Bruce (L)	Essex	
<b>Cunningham, Hon / L'hon Dianne (PC)</b>	London North Centre / London-Centre-Nord	Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Curling, Alvin (L)	Scarborough-Rouge River	
DeFaria, Carl (PC)	Mississauga East / -Est	Parliamentary assistant to the Minister of Citizenship / adjoint parlementaire au ministre des Affaires civiques

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Di Cocco, Caroline (L)	Sarnia-Lambton	
Dombrowsky, Leona (L)	Hastings-Frontenac-Lennox and Addington	
Duncan, Dwight (L)	Windsor-St Clair	opposition House leader / chef parlementaire de l'opposition
Dunlop, Garfield (PC)	Simcoe North / -Nord	Parliamentary assistant to the Minister of Education and government House leader / adjoint parlementaire à la ministre de l'Éducation et leader parlementaire du gouvernement
<b>Ecker, Hon / L'hon Janet (PC)</b>	Pickering-Ajax-Uxbridge	Minister of Education, government House leader / ministre de l'Éducation, leader parlementaire du gouvernement
<b>Elliott, Hon / L'hon Brenda (PC)</b>	Guelph-Wellington	Minister of Intergovernmental Affairs / ministre des Affaires intergouvernementales
<b>Flaherty, Hon / L'hon Jim (PC)</b>	Whitby-Ajax	Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Galt, Doug (PC)	Northumberland	Parliamentary assistant to the Minister of Agriculture, Food and Rural Affairs / adjoint parlementaire au ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Gerretsen, John (L)	Kingston and the Islands / Kingston et les îles	
Gilchrist, Steve (PC)	Scarborough East / -Est	
Gill, Raminder (PC)	Bramalea-Gore- Malton-Springdale	Parliamentary assistant to the Minister of Training, Colleges and Universities / adjoint parlementaire à la ministre de la Formation et des Collèges et Universités
Gravelle, Michael (L)	Thunder Bay-Superior North / -Nord	
Guzzo, Garry J. (PC)	Ottawa West-Nepean / Ottawa-Ouest-Nepean	
Hampton, Howard (ND)	Kenora-Rainy River	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Hardeman, Ernie (PC)	Oxford	Parliamentary assistant to the Deputy Premier and Minister of Finance / adjoint parlementaire au vice-premier ministre et ministre des Finances
<b>Harris, Hon / L'hon Michael D. (PC)</b>	Nipissing	Premier and President of the Executive Council / premier ministre et président du Conseil exécutif
Hastings, John (PC)	Etobicoke North / -Nord	Parliamentary assistant to the Minister of Energy, Science and Technology / adjoint parlementaire au ministre de l'Énergie, des Sciences et de la Technologie
<b>Hodgson, Hon / L'hon Chris (PC)</b>	Haliburton-Victoria-Brock	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Hoy, Pat (L)	Chatham-Kent Essex	
<b>Hudak, Hon / L'hon Tim (PC)</b>	Erie-Lincoln	Minister of Tourism, Culture and Recreation / ministre du Tourisme, de la Culture et des Loisirs
<b>Jackson, Hon / L'hon Cameron (PC)</b>	Burlington	Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées
<b>Johns, Hon / L'hon Helen (PC)</b>	Huron-Bruce	Minister without Portfolio (Health and Long-Term Care) / ministre sans portefeuille (Santé et Soins de longue durée)
<b>Johnson, Bert (PC)</b>	Perth-Middlesex	Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative
Kells, Morley (PC)	Etobicoke-Lakeshore	Parliamentary assistant to the Minister of Municipal Affairs and Housing / adjoint parlementaire au ministre des Affaires municipales et du Logement
Kennedy, Gerard (L)	Parkdale-High Park	
Klees, Frank (PC)	Oak Ridges	
Kormos, Peter (ND)	Niagara Centre / -Centre	New Democratic Party House leader / chef parlementaire du Nouveau Parti démocratique
Kwinter, Monte (L)	York Centre / -Centre	
Lalonde, Jean-Marc (L)	Glengarry-Prescott-Russell	
Levac, Dave (L)	Brant	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Marchese, Rosario (ND)	Trinity-Spadina	
Marland, Margaret (PC)	Mississauga South / -Sud	
Martel, Shelley (ND)	Nickel Belt	
<b>Martin, Tony</b> (ND)	Sault Ste Marie	First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
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Maves, Bart (PC)	Niagara Falls	Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire au ministre de la Santé et des Soins de longue durée
Mazzilli, Frank (PC)	London-Fanshawe	Parliamentary assistant to the Minister of Tourism, Culture and Recreation / adjoint parlementaire au ministre du Tourisme, de la Culture et des Loisirs
McGuinty, Dalton (L)	Ottawa South / -Sud	Leader of the Opposition / chef de l'opposition
McLeod, Lyn (L)	Thunder Bay-Atikokan	
McMeekin, Ted (L)	Ancaster-Dundas-Flamborough- Aldershot	
Miller, Norm (PC)	Parry Sound-Muskoka	
Molinari, Tina R. (PC)	Thornhill	Parliamentary assistant to the Minister of Community and Social Services and Minister responsible for Children / adjointe parlementaire au ministre des Services sociaux et communautaires et ministre déléguée au dossier de l'Enfance
Munro, Julia (PC)	York North / -Nord	Parliamentary assistant to the Minister of Transportation / adjointe parlementaire au ministre des Transports
Murdoch, Bill (PC)	Bruce-Grey-Owen Sound	Parliamentary assistant to the Minister of Labour / adjoint parlementaire au ministre du Travail
Mushinski, Marilyn (PC)	Scarborough Centre / -Centre	Parliamentary assistant to the Premier / adjointe parlementaire au premier ministre
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O'Toole, John R. (PC)	Durham	Parliamentary assistant to the Minister of Finance / adjoint parlementaire au ministre des Finances
Ouellette, Jerry J. (PC)	Oshawa	Parliamentary assistant to the Minister of Northern Development and Mines / adjoint parlementaire au ministre du Développement du Nord et des Mines
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Tsubouchi, Hon / L'hon David H. (PC)	Markham	Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement
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Wettlaufer, Wayne (PC)	Kitchener Centre / -Centre	Parliamentary assistant to the Chair of the Management Board of Cabinet / adjoint parlementaire au président du Conseil de gestion du gouvernement
Wilson, Hon / L'hon Jim (PC)	Simcoe-Grey	Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Witmer, Hon / L'hon Elizabeth (PC)	Kitchener-Waterloo	Minister of the Environment / ministre de l'Environnement
Wood, Bob (PC)	London West / -Ouest	Parliamentary assistant to the Minister of Correctional Services / adjoint parlementaire au ministre des Services correctionnels
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Ces listes figurent dans les premier et dernier numéros de chaque session et du premier lundi de chaque mois. Par contre, une liste des circonscriptions paraît si l'espace est disponible.

# CONTENTS

Monday 1 October 2001

## MEMBERS' STATEMENTS

<b>Women's History Month</b>	
Mrs Bountrogianni .....	2215
<b>Islamic education and community centre</b>	
Mrs Molinari .....	2215
<b>Hamilton-Wentworth Detention Centre</b>	
Mr Agostino .....	2215
<b>Ontario Agriculture Week</b>	
Mr Johnson .....	2216
<b>Ontario farm income disaster program</b>	
Mr Peters .....	2216
<b>Anti-racism activities</b>	
Ms Churley .....	2216
<b>Brampton Excelsiors lacrosse team</b>	
Mr Spina .....	2217
<b>Fire Prevention Week</b>	
Mr Duncan .....	2217
<b>Northumberland Toastmasters club</b>	
Mr Galt .....	2217

## FIRST READINGS

<b>Health Protection and Promotion Amendment Act , 2001, Bill 105,</b>	
<i>Mr Dunlop</i>	
Agreed to .....	2218
Mr Dunlop .....	2218

## MOTIONS

<b>House sittings</b>	
Mrs Ecker .....	2218
Agreed to .....	2218

## STATEMENTS BY THE MINISTRY AND RESPONSES

<b>International Day of Older Persons</b>	
Mr Jackson .....	2218
Mr Brown .....	2219
Ms Martel .....	2210

## ORAL QUESTIONS

<b>Education</b>	
Mr McGuinty .....	2225
Mrs Ecker .....	2225, 2228
Mr Marchese .....	2228
<b>Environmental protection</b>	
Mr McGuinty .....	2226
Mrs Witmer .....	2226, 2227
Mr Hampton .....	2227
Ms Churley .....	2228

## Ontario economy

Mr McGuinty .....	2229
Mr Tsubouchi .....	2229

## Tourism

Mr Miller .....	2230
Mr Hudak .....	2230

## Walkerton tragedy

Mr Bradley .....	2230
Mr Young .....	2230, 2232
Mr Hampton .....	2231

## Young offenders

Mrs Munro .....	2231
Mr Turnbull .....	2231

## Hazardous waste

Ms Di Cocco .....	2232
Mrs Witmer .....	2232, 2233
Mr Spina .....	2233

## Children with special needs

Mr Ramsay .....	2233
Mr Baird .....	2233

## ITER fusion project

Mr O'Toole .....	2234
Mr Wilson .....	2234

## Ontario disability support program

Ms Martel .....	2235
Mr Baird .....	2235

## PETITIONS

### Audiology services

Mr Bartolucci .....	2235
Mr Levac .....	2238

### Occupational health and safety

Mr Kormos .....	2235
-----------------	------

### Protection of minors

Mr Wood .....	2235, 2236, 2237
---------------	------------------

### Ontario public service

Mr Hoy .....	2235
--------------	------

### OHIP services

Mr Christopherson .....	2236
Mr Bisson .....	2236

### Community care access centres

Mr Parsons .....	2236
------------------	------

### Doctor shortage

Mr Gravelle .....	2237
-------------------	------

### Personal needs allowance

Mr Christopherson .....	2237
-------------------------	------

## SECOND READINGS

### Improving Customer Service for Road

<i>Users Act, 2001, Bill 65, Mr Clark</i>	
Mr Turnbull .....	2238
Mrs Munro .....	2240, 2247
Mr Klees .....	2242
Mr Hoy .....	2245, 2247

Mr Bisson .....	2246
Mr Johnson .....	2246
Mr Crozier .....	2246
Mr Parsons .....	2250
Mr Bradley .....	2251
Debate deemed adjourned .....	2253

## OTHER BUSINESS

### Annual report, Environmental

<b>Commissioner of Ontario</b>	
The Speaker .....	2217

### Visitor

Mr Tsubouchi .....	2217
--------------------	------

### John Lane

Mr Sterling .....	2221
Mr Brown .....	2222
Ms Martel .....	2223

### Contempt of Parliament

Mr Bradley .....	2224
Mrs Ecker .....	2225
The Speaker .....	2225

## TABLE DES MATIÈRES

Lundi 1<sup>er</sup> octobre 2001

## PREMIÈRE LECTURE

<b>Loi de 2001 modifiant la Loi sur la protection et la promotion de la santé, projet de loi 105,</b>	
<i>M. Dunlop</i>	
Adoptée .....	2218

## DEUXIÈME LECTURE

<b>Loi de 2001 sur l'amélioration des services à la clientèle offerts aux usagers de la route, projet de loi 65,</b>	
<i>M. Clark</i>	
Débat présumé ajourné .....	2253



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of Ontario**  
Second Session, 37<sup>th</sup> Parliament

**Assemblée législative  
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Deuxième session, 37<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 1 October 2001**

**Lundi 1<sup>er</sup> octobre 2001**

**Speaker**  
Honourable Gary Carr

**Clerk**  
Claude L. DesRosiers

**Président**  
L'honorable Gary Carr

**Greffier**  
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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 1 October 2001

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 1<sup>er</sup> octobre 2001

*The House met at 1845.*

## ORDERS OF THE DAY

**Hon David Young (Attorney General, minister responsible for native affairs):** Mr Speaker, I seek consent to move a motion with regard to tonight's House business, of which members of the opposition have been provided a copy.

**The Acting Speaker (Mr Bert Johnson):** Is there consent? It is agreed.

**Hon Mr Young:** I have the pleasure of moving:

That G86 be called as the first order of the day;

That the Speaker will be recognizing no further speakers from the government caucus or from the official opposition;

That the Speaker shall recognize up to two members of the third party to speak to the second reading stage of the bill;

That, at the conclusion of the second reading stage of the bill, the bill shall be referred to the standing committee on justice and social policy;

That the standing committee on justice and social policy shall be authorized to meet in Toronto for up to two days of clause-by-clause consideration of the bill in question;

That G30 be called next at orders of the day;

That the Speaker will recognize no further speakers from the government caucus or from the official opposition in relation to that matter;

That the Speaker shall recognize members of the third party to speak to the second reading stage of that bill;

That, at the conclusion of the second reading stage of the bill, the bill shall be referred to the standing committee on justice and social policy;

That the standing committee on justice and social policy shall be authorized to meet in Toronto for one day of clause-by-clause consideration of that bill; and

That, if time permits, G60 will be called next at orders of the day.

**The Acting Speaker:** Mr Young moves that—dispense? It has to be unanimous.

Mr Young has moved:

That G86 be called as the first order of the day;

That the Speaker will recognize no further speakers from the government caucus or from the official opposition;

That the Speaker shall recognize up to two members of the third party to speak to the second reading stage of the bill;

That, at the conclusion of the second reading stage of the bill, the bill shall be referred to the standing committee on justice and social policy;

That the standing committee on justice and social policy shall be authorized to meet in Toronto for up to two days of clause-by-clause consideration of the bill;

That G30 be called next at orders of the day;

That the Speaker will be recognizing no further speakers from the government caucus or from the official opposition;

That the Speaker shall recognize members of the third party to speak to the second reading stage of the bill;

That, at the conclusion of the second reading stage of the bill, the bill shall be referred to the standing committee on justice and social policy;

That the standing committee on justice and social policy shall be authorized to meet in Toronto for one day of clause-by-clause consideration of the bill; and

That, if time permits, G60 will be called next at orders of the day.

Is it the pleasure of the House that the motion carry? It is carried.

1850

## RESCUING CHILDREN FROM SEXUAL EXPLOITATION ACT, 2001

LOI DE 2001

## SUR LA DÉLIVRANCE DES ENFANTS DE L'EXPLOITATION SEXUELLE

Resuming the debate adjourned on September 26, 2001, on the motion for second reading of Bill 86, An Act to rescue children trapped in the misery of prostitution and other forms of sexual exploitation and to amend the Highway Traffic Act / *Projet de loi 86, Loi visant à délivrer les enfants prisonniers de la prostitution et d'autres formes d'exploitation sexuelle et modifiant le Code de la route.*

**The Acting Speaker (Mr Bert Johnson):** I think we are at leadoff for the—

*Interjection.*

**The Acting Speaker:** My apology. The Chair recognizes the member for Niagara Centre, and he is deferring to the member for Toronto-Danforth.

**Ms Marilyn Churley (Toronto-Danforth):** Thank you very much, Mr Speaker, although if people are

willing to give me an hour, I'd be happy to take it. Could I have unanimous consent? Agreed? No.

I am pleased to be able to spend a few minutes tonight talking about this bill before us because, as the critic for the New Democratic Party pointed out in his leadoff, we take this bill extremely seriously, have read it very carefully and want very much to support some measures to try to deal with the tragedy of the abuse of children, the sexual abuse of children and child prostitution.

We have some concerns about the bill. We're pleased that it's going to committee, although I understand not for public input but at least for some clause-by-clause, at which time our concerns hopefully can be addressed, when our member for Niagara Centre will be at the committee. He will be able to make some amendments and have on the record our concerns about the bill.

When I was the Minister of Consumer and Commercial Relations, one of the many areas that I was responsible for was what's known as the Ontario Film Review Board. Under that film review board, as everybody here I believe is aware, there is a board that literally looks at every film that comes through Ontario and determines what age group can see it or whether certain pieces have to be cut out and, in particular, views pornography. Of course, one of the obvious things that was a no-go, out of the question, was anything to do with not only using children in these films for pornographic purposes, but even having an older person dressed up to look like an underaged child; that was not permitted. I think we all agree in this House that that was essential.

One of the things that I did was I got to know I believe a hero in our midst, and that's an OPP officer named Bob Matthews, who heads up Project P. Bob Matthews came to talk to me on several occasions, and I worked very closely with him. I call him a hero in our midst because what Project P does is try to track down and arrest mostly men who take advantage of children and use them for pornographic purposes. At one time Mr Matthews invited me to visit the offices of Project P to give me some idea of the kind of material they were dealing with. I only saw a little of this material, and what I saw was beyond words: little children in pornographic positions. It was heartbreaking, and I will never forget. I still see the faces of these children today and their dead eyes. It was such a shock.

Most of us in this chamber haven't had any reason to view such material. But when you do see it, head on, face to face, it is so alarming and so upsetting that you have to dedicate yourself, as I have, and I think everybody in this chamber and most people who are watching this, to wiping out the sexual abuse of children and child prostitution. That is why I have, since that time, had zero tolerance—I mean zero tolerance—for anybody, for any man in any situation who sexually abuses children or fantasizes about having sex with underaged children. So when something comes to my attention that has anything to do with the abuse of children, I speak up and will continue to do so, and I expect all members of this House to do the same thing.

There is a lot we have to do. I understand the motivation behind this bill completely. Something has to be done to help these very troubled children before these children end up, in many cases, in a situation where they are selling their bodies and being abused in unspeakable ways. Most of us here have children, and it's painful to even think about or consider how these children are drugged and abused and used. So I understand the motivation for the bill. I want to point out that I want very much to be able to support the bill, if I can be convinced this bill is actually going to make a difference, to not only get these young prostitutes, troubled youth, off the streets, but to get them into treatment programs.

That is what is lacking in this bill. It's all very well to say we'll go out and give the police the ability—and God knows they need the tools—to help these kids, to go and yank them off the street; they're victims of all kinds of abuse. And then, in trying to help, to lock them up for 30 days but without any specific treatment ordered, as happens under the Child and Family Services Act—as my colleague from Niagara Centre pointed out, we're not talking about young kids, who do come under the Child and Family Services Act; we're talking about 16- and 17-year-olds. And this bill is not as progressive and helpful to society, the social workers and counsellors and the institutions that are there to help these kids. The 16- and 17-year-olds do not come under the Child and Family Services Act.

So what it means is that the police can come and take these children off the street and lock them up. What's going to happen to them in those 30 days? There is nothing in this bill that tells us what's going to happen to them. Let's get real here. These are very troubled children who have had all kinds of experiences at young ages that we can't even imagine and don't want to. To lock them up for 30 days without proper resources and programs, proper housing and assistance in place—do we really believe they're not going to be on the street again on day 31? Do we really believe that? I don't think so.

I think we are all really serious about doing something to help these kids, to help the parents who are desperately trying to get their kids back. I know there are some parents out there who end up in a situation where their kids are attracted to the bright lights and the nightlife out there and end up on the street, and they're desperate to get them back in the fold, to get help for them.

Then there are really bad parents out there. There are children who are running away from abusive situations where they've already learned how to turn a trick in their own home. That's the reality—let's call it what it is—of what we're talking about here.

So we have a situation where the programs and services we need in place to help the kids are no longer there. That is the reality we have to face, and I want to see attached to this bill a very clear analysis of what happens to children, what kinds of programs they need and a commitment from the government that those programs that have been cut and slashed will be

reinstated. Without that, all we're doing is locking up children without the supports there to really help them.

Taking away the licences of the johns—excuse me, but that isn't good enough. We need to see a serious crackdown on these people. We need to see a serious crackdown on these middle-aged men and young men who are out there, the johns who are using them, the pimps who are using them. It's despicable. It's absolutely despicable. I need to see a bill before us that actually deals in a much tougher way with the johns and the pimps. Sure we want to help these kids; that has to be the first priority. But we're not going to help them unless we go after the johns and the pimps and unless we find the resources to put into the programs they need.

I want to talk for a moment about what's happening around the world, because what's called sex tourism is becoming a worse and worse problem. There are some articles that have been written in both the *Toronto Star* and the *Globe and Mail* over the last year or so that will, again, break your heart if you read them. We're sheltered most of the time from what's going on. We think it's bad here, and it is. But if you look at what's going on with child prostitution and what's called the sex tourism trade, you will be shocked.

1900

I have an article here from the *Globe and Mail* called "Trafficking in Children," written by Murray Campbell. That's 4/28/2001. He says, "In south Asia, a controversy is raging over the number of children who work in bondage. Bangladesh estimates it has 500,000 enslaved children while the US State Department said child kidnapping, trafficking for labour and prostitution continue to be 'a serious and widespread problem.'"

It goes on to say, "In India, as many as 10 million children could be working in bondage with an estimated 300,000 in the carpet industry alone. By some estimates, half the 100,000 prostitutes 10 to 14 years old in Bombay are from Nepal and are kept against their will."

That's what's happening in some parts of the world.

Again, an article that was written for the *Toronto Star* editorial, Sunday, July 29, 2001, by Ed Butts. I'm going to quote you a few things from that article. He says, "Girls as young as 12, invariably from impoverished families, are being brought into the trade to meet the demands of tourists who think they can do whatever they want in a ... Third World country." He goes on in that article to talk about the terrible problem with AIDS among young children, among women, among men, and to talk about the intense poverty that drives many of these children into prostitution in order that they can eat and so that they can feed their families.

This, I think, is an issue that doesn't just affect us here in Ontario. When we look at the incredible numbers of children across the world who are being forced into prostitution, we have to, as a civil society, look at what is going on with children around the world, and work harder to enforce laws that lock up the men who take advantage of these children because they think they can in a developing nation.

Coming back to Ontario and this legislation before us today, the issue before us is a complicated one. That's why I said I wanted to find a way to support this bill. I do hope the government will pay attention to the issues that will be brought up in the committee by the member for Niagara Centre, Peter Kormos, our critic in the area.

Let's come back again to the 30-day lock-up and the implications of that. We're talking about 16- and 17-year-olds. Think about that young person being on the street, being plucked off the street and put in what?—that's so vague—in some kind of halfway house, some kind of treatment perhaps? The judge doesn't have the power, as I understand it, as he or she does under the Child and Family Services Act, to actually order specific treatment for that specific child after taking a look at what this child's life history, life story, is. That is what is needed here.

It's all very well to say, "Yeah, we can clean up the streets, we can get these kids off the street for a while and lock them up for a while," but what I would like to know, and I wonder if the government has these statistics—they talk about a similar law in Alberta and talk about it in glowing terms, about all of these young people who have been taken off the streets and locked up for 30 days. But what we don't have before us and what is really essential and critical is that we must have some understanding about what happens to these children when they get back on the street. Do they end up, the very next day, back on the street selling their bodies again? Do they end up dealing drugs, taking drugs, shooting up, doing all of the things they were doing before?

With the troubles they have, their problems and their issues, the very things that got them into this situation—because, as you know, many of these children come from very troubled backgrounds and very troubled families—it takes more than 30 days to deal with those kinds of issues. That's documented. We know from kids who have been locked up for a short period of time, drug users, that the very same day they're out, they're back on the street and using drugs again.

If we truly want to help these kids, there are a couple of things that we absolutely have to do, and let me outline them again. We need to have a law that comes after the johns and the pimps much more effectively than we do now. It's kind of ironic, because prostitution is not illegal. The johns and the pimps, the ones who should be punished for taking advantage of these children and using them, all we see in this bill is that their licence could be taken away. That's not going to stop them. I understand why the government is proposing that, because it is something that can be done, and can be fairly easily done. But I don't think that is going to stop them, and I don't believe anybody in this building believes that this is going to stop them. So, that's one issue I am very concerned about.

Second, we need to have much more concrete remedies in this bill. We need to see that proper assessments, and then treatment measures, are given so that these children can actually go through counselling and what-

ever else they need to come out the other side. We need to see that they're not in a situation where going home is an option, that they have decent housing, enough food to eat and the kind of counselling that will help them avoid getting back to the old life.

We need to see the waiting lists that have gotten longer and longer over the past few years for mental health beds in hospitals and for family counselling and counselling for children. The line and the wait for those kinds of services are so long now that when a family in crisis, a family who is trying to save their kid, to get their kid off the street, to do what they can for their child, is trying to get some kind of counselling, the waiting list is so long now that you can forget it. The time frame is too long for any meaningful intervention.

That has to be reversed. If we truly are committed to helping these children, these young adults who are in big trouble in their lives, who are being used and abused, we have to say that these kids are worth spending the resources. We have to say that children in our communities are probably more important than anything else we can invest in—keeping them safe, keeping them away from harm, keeping them from being abused.

Our caucus will be supporting this on second reading, but we do want to see, at the committee level, meaningful amendments and meaningful interventions by the government so that these children can get the kind of services that they need to get them off the street and into a healthy lifestyle.

#### **The Acting Speaker:** Comments and questions?

1910

**Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs):** It is a pleasure for me to speak to Bill 86. This particular piece of legislation provides better protection for the rights and interests of those young victims and provides a stronger foundation, with meaningful intervention. It targets specifically the people who exploit them.

The children in our society are the little folk who instill in all of us a desire to make sure they have the best opportunities in life and that they're not exploited in any fashion, and this bill goes a long way in addressing that.

This bill also allows the police and child welfare workers to apprehend children who are in situations of sexual exploitation. That intervention ensures that to the best of our ability our children are not exploited by those who would scar them for life.

It also empowers only the police to act. We know from Alberta's experience that both the police and child welfare workers are actively involved in these types of cases and it's necessary to provide both these agencies, both these groups, with the tools they need to assist the children in these very dangerous situations. That's why I think this bill is something that goes a long way to addressing it.

**Mr Mario Sergio (York West):** My compliments to the member for Toronto-Danforth, the wonderful location of the Danforth community.

It's very sad that we have to talk about rescuing our children from sexual exploitation, but unfortunately it's a reality and it's one of those things we have to deal with, especially when it comes to our children. For whatever reason, they are in those particular situations, perhaps not necessarily by their own fault. It could be a family situation. It could be they are being pushed into certain situations. But I think the sexual exploitation of our children is a very important issue that we have to look at.

I can appreciate that this is going to be debated at the committee level. I hope the government will allow sufficient time to debate this particular matter and to hear a lot of people, especially our own police forces, so we could hopefully get enough direction on how to deal with this important issue. I hope we can find some good solutions, long-lasting solutions, on how to not only, if you will, retrieve, as the title says here, our children from sexual exploitation, but eliminate the possibility that other children fall into the same situation—it doesn't matter where they come from; it doesn't matter why they happen to be there. I think the government—everybody in the House—must be doing their utmost, working together with agencies outside this House for the best for our children. So I hope that when this goes to committee, good recommendations can come forward and be presented and approved in the House.

**Mr Gilles Bisson (Timmins-James Bay):** I want to congratulate the member for Toronto-Danforth. I've noted in this House, as I've noted in a number of other debates outside this House, that the member for Toronto-Danforth is never afraid to talk about issues that for some are sometimes uncomfortable. Sometimes it takes a certain amount of courage to do that, and I just want to commend her on that.

I also want to say she's perfectly right when she says that although this bill is a step in the right direction, it really doesn't deal with the issue. The issue is the root causes of what is putting young people out on the streets and engaging in the act of prostitution and what we can do as a society. I, as a New Democrat, would argue that we have a responsibility as a society and a responsibility as legislators of that society to find the root causes, so we can try to get to those in order to assist in eliminating this problem from our society.

I will argue that I don't think this bill, when put into force of law, is really going to have a large effect on dealing with child prostitution, because if you look at the bill and how it works, all it basically does is say we can pick up the child and bring them before a JP within 24 hours in order to find out if there's cause to bring them to trial. Then, if we bring them to trial, the court can give them 30 days in a secured facility to deal with their problem.

You can counsel all you want, but the big issue is that they're probably in prostitution because they're runaways from home, because possibly there was abuse at home when they were there, either physical or sexual. Second, it's often because they've got nowhere else to go. They have no marketable skills to get work in what we con-

sider the conventional economy, and so they end up gravitating to that seedier side of our society. I would argue that I, as a New Democrat, would much rather try to put into this bill the type of things we need to do to deal with the root causes, what causes children to engage in the act of prostitution. I think taking a driver's licence away from a john is not going to do a heck of a lot to do that.

**Hon David Young (Attorney General, minister responsible for native affairs):** I'm pleased to comment on the remarks by my friend opposite from Toronto-Danforth.

I will say at the outset how pleased I am and indeed how gratifying it is that in this instance we have all three political parties co-operating. Their co-operation, hopefully, will allow this bill to move through the Legislative Assembly in a timely fashion. My hope is that that level of co-operation will continue at the committee stage and as we get to third reading.

I anticipate what it is that has motivated the members opposite. I suspect that they, like the members of the Mike Harris government, are motivated by the fact that we must, at this point in time, do everything we can to help some of the most vulnerable members of our community. Of course, I'm talking about children who are trapped in the misery of prostitution and related activities. I say "trapped," and I think that's important to remember throughout this debate, because in fact they are trapped. They are victims who are desperately in need of some assistance that will allow for the cycle of dependency and victimization to be broken. In order to do that, they have to be physically removed from the predators who have been exploiting them for one purpose alone, and that is to make money.

What this bill will do, if it is passed, is allow for these young people to be removed from those predators and placed in a safe atmosphere where they will be able to have the medical services, the therapy, the counselling and the training they will need to get their lives back on track and allow them to have the dignity everyone in this society deserves.

**The Acting Speaker:** The member for Toronto-Danforth has two minutes to respond.

**Ms Churley:** I want to thank the members for Ottawa something—

**Hon Mr Coburn:** Orléans.

**Ms Churley:** York West, Timmins-James Bay and the Attorney General. I want to say a special thank you to the member for Sudbury as well. He's here tonight, and I know he made at least three attempts, I believe—

**Mr Rick Bartolucci (Sudbury):** Four.

**Ms Churley:**—four attempts, he tells me, to get a similar bill through the House. He should feel it an honour that the government took his bill and turned it into a government bill, because that way it has a much better chance of passing.

I would say that I understand as well why the member for Sudbury wrote the bill the way he did, because we in opposition can't write bills, we can't put bills on the

floor, debate anything that has to do with resources. So I'm sure the member for Sudbury would agree with me that although he couldn't write it into his bill because we're not allowed, the government can. The government are the only ones here who can talk about resources in a bill that goes through this House.

So again I urge the government to pay attention to what the opposition members and, I'm sure, many in your caucus are saying as well. I understand what the Attorney General said about the need to get these children, these young people, away from this terrible exploitation, this terrible life they're living. But let's bear in mind, as I said, that it's got to be more than 30 days. They're going to need more assistance than that.

Also let's bear in mind that the predators are still on the street, so more young people are going to come for these johns and pimps to take advantage of. I know it's tough; I've been in government. I know it's tough, in terms of dealing with the legal parameters, but we have to find more powerful measures and instruments to deal with these predators, these evil people who should be locked up.

1920

**The Acting Speaker:** Further debate?

**Mr Bisson:** I always find it interesting when we rise to debate in this House that often it seems, starting in the last session and again in this session, we find ourselves as New Democrats the only ones getting up and debating bills. I sometimes say to myself, "Thank God we're here." We're here in small numbers—we're only nine—but if it wasn't for that, much of the thoughtful debate that has to go into these types of bills wouldn't get on the floor.

Let me point out where I'm going with this. I generally support what the government is trying to do by way of this bill. I don't think anybody in this House will say the government should do nothing and pooh all over the bill because, as a government, you are trying to have some sort of response to how you deal with child prostitution. But I don't think that by having limited debate in this Legislature we're going to get at the issues of trying to deal with how you really curb child prostitution. Let's call it what it is. I don't believe in the end that taking away the driver's licence of a pimp or a john is going to deal with stopping this, because those people face far more severe consequences if they're caught. They can be charged under the Criminal Code, and that doesn't scare them. So why should a criminal—because that's what these people are—who is engaging in the business of promoting child prostitution be afraid of engaging in that activity if all they have to fear from the provincial government is the loss of their driver's licence? They're going to keep on driving, and I will say they'll keep on pimping.

As for the johns, they don't think about consequences as they get in their car and drive down the street looking for their next victim; in this case a child, either a boy or a girl. They don't think of that as they are walking down the street looking for their next victim. They are only

looking at trying to fulfill what is their fantasy. Again, I don't think that losing their driver's licence is going to be the thing that's going to say to the person, "I shouldn't do this, because I'm going to lose my driver's licence." I think we need to recognize that this is a very serious problem. Yes, removing a person's driver's licence has some effect—I'm not going to argue it has none—but may I say, my Lord, it's not going to move anybody from stopping and engaging in the act of child prostitution.

So the first point is, I think the punitive measures that we're putting on the johns and the pimps don't mount up to a hill of beans, because at the end of the day it's not going to deter anybody from engaging in child prostitution, either the pimp or the john. I would argue that we need to talk to our federal cousins—not our federal cousins, but the Liberal government in Ottawa. We've got to get them to move on the Criminal Code. We have to find a way to say, "Mr Jean Chrétien and the Liberal government, take your responsibilities and beef up the Criminal Code so that we make this a severe offence."

We should not stand in our nation and we should not stand in our province for people engaging in the act of child prostitution. First of all, we should see prostitution in general as an act that we shouldn't tolerate in our society, but I would argue, especially when it comes to those engaged in this institution—because that's how they see it, these people—we should not be supporting that in any way at all. So we should be saying to the federal government, "Beef up the Criminal Code." We need stronger penalties when it comes to dealing with the johns and the pimps. We have to be able to send a message that if you're caught in that activity, you will not only get prosecuted under what we have now under the Criminal Code of Canada, but you will have a much higher punishment that will come your way if you're caught. That's the first thing.

The second thing is, if we want to find the pimps and the johns, to curtail those people from engaging in that activity, we need to give the police forces in our province the means by which to get out there to patrol in a meaningful way so that we're able to identify them, because we can identify those children who are engaged in prostitution, so we can tail them and get at the pimps and the johns and prosecute them under the full weight of the law. Again, it has to do with the Criminal Code. So that was my first argument. I'm not going to argue that the punitive measures in this bill aren't going to do anything, because they will have some effect, but I would argue that in the grand scheme of things they're not going to do a heck of a lot.

The other part of this is, as I said in response to the member for Toronto-Danforth, we have to look at what are the root causes. If we're saying on the one hand that we're prepared as a province to go to our federal government and say, "We want to beef up the Criminal Code so that we prosecute at a very severe level," that once we prosecute and we've actually convicted somebody, the sentence or punishment is stiff, that's the one

side. We can say, "You're going to get the full weight of the law on you."

Now we've got to look at the children. We have to ask, "What are the root causes? What causes a 10-year-old boy or girl, or a 14-year-old or whatever they might be, to engage in child prostitution?" I think most of us in this assembly—I would argue all—understand some of those reasons. It might be drugs. It might be a young person who needs his or her next fix, and in order to get that fix is prepared to do anything. They're prepared to steal, they're prepared to engage in all kinds of activities that will get them money or access to drugs and, yes, prepared to sell their bodies. So I argue that we need to look at the root causes and we need to beef up our programs that we have in the province that deal with addiction.

We've gone through this whole restructuring in 1995 when the government took power where we—we ended up not doing it because we were able to beat it back, but the reaction of the government was to downsize the addiction programs. They were going to do a huge restructuring which would have meant that at the end of the day we would have less beds in the system to deal with people with addictions. They did reduce it to an extent—not as much as they initially planned—but I would argue it's not a reduction we need. We need to increase the number of counsellors. We need to increase the number of beds that we have to deal with people who have drug addictions, or alcohol addictions for that matter. I would argue that we need to give the people the support they need within those particular agencies to be able to deal with the young people.

I know from dealing with the people involved in the treatment side of the children's aid society, who get the referrals of those who are in treatment, that they're frustrated by the inability to refer a young person who they've identified as being hooked on drugs and suspect may be involved in the act of prostitution. They have nowhere to refer them. The waiting lists are too long because we here in the province of Ontario, namely the Conservative government, have reduced the amount of money that we have for people who are trying to deal with addictions. So when I argue for the issue of root cause, one of the things that we can do very directly—and it means putting your money where your mouth is—is support those agencies out there that deal with addictions.

There's another thing that we're able to do that I think would not be a bad idea, something that we have to take a look at. Another reason kids end up in prostitution is that often they are running away from abuse they may have had at home. Not in all cases but certainly in some cases they've been sexually assaulted by an uncle or a father or a brother, and in some cases by a woman as well. What happens is that they run away from that situation and they've got nowhere to go. They've got no safe house like you're trying to create under this legislation to say, "I'm 12 years old. I'm confused. My uncle"—father, brother, whatever—"has sexually assaulted me and I

need to go somewhere." They have no idea where to go. They don't see a shining 1-800 number, like Mike Harris likes to put up for everything else, that says, "If you're sexually assaulted, here's where you can call. Here's where you can come. This is a safe house you can come to so that we can deal with (a) the trauma that you're going through now"—rape crisis centres are very limited in what they can do because in some cases, if they're boys, it's not even in their mandate—"and (b) be able to deal to the full extent of the law to punish those people who caused the sexual assault in the first place."

I would say, let's look at a way of being able to, first of all, let kids know it's OK to report these kinds of activities if it happens to them, because they're confused. They are 11, 10, 12 years old. In some cases they don't even know what happened to them, and all of a sudden they don't know what to do. We should go to our schools and we should go to the popular mainstream media and have public education, public awareness campaigns to say, "This is a wrong activity. If it happens to you, this is what you can do, this is where you can go, this is who you can call," to deal with the trauma at the time the child—boy or girl—is going through it, and at the same time deal with prosecuting those people who perpetrated that act against that innocent young victim.

I think that's a couple of things we can do, but I don't see any of this in the legislation. So as a New Democrat, I'm glad that at least we're prepared to stand up today and speak to this bill. I don't know what motivates and I'm not going to guess what motivates either the Tories or the Liberals not to get up on this bill, but I think it's important as New Democrats to put that on the record so that when this bill goes off to the committee for the two days we have of clause-by-clause, we're able to look at some of those issues and ask, "How can we incorporate that into the bill?" I think that would be one way of dealing with this.

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The other thing that we're able to do—again, it's a question of political will and I'm going to say it: the whole issue of welfare. We are limiting the ability for young people under the age of 16 to go on to welfare. That's something this government has engaged in with no humility at all. They have been so happy to hammer away on people on welfare in their zeal to get at the politics of the welfare system that we basically have made it very difficult for kids under the age of 16 to access welfare and public housing.

As all the members of the assembly have in their constituency offices, I have a number of kids who come to my office and say, "I've applied for welfare and I can't get it because I need to have my parents' signature before age 18 to get on welfare unless I'm able to prove something like sexual assault might have happened." And lots of times the kids aren't prepared to say what the problem is.

I remember about a year and a half ago a particular kid came into the office who seemed to me was crying out for help. The young girl was about 17 years old and she

had run away from what were not her natural birth parents. She was living with foster parents at the time and had applied for welfare to get out. I could never get it out of her straight. I said, "If you're telling me as your MPP the reason you want welfare is because you've been sexually assaulted while being at home, please tell me; I can deal with that. I can get to the welfare department and assist you. But more importantly, you need to be referred to the women's centre up in Timmins on Wilson Avenue so that they can deal with the trauma of what's happened to you as a young woman."

But we all know what the problem is: she doesn't feel confident that she will be taken seriously once she hits the legal system. She doesn't feel, as a young rape victim—because she knows by an experience maybe that unfortunately she's suffered before or by stories she's heard from her friends or by what she has read or seen in the popular mainstream media that women who report instances of rape are not taken seriously by the police in many cases. It's an ugly issue to deal with. The police would rather, "Ugh, that's kind of yucky. Unless you're prepared to really give us the evidence in detail so it will stick when it comes to a charge, shall we take it seriously?"

So I say part of the issue is—and I'll get back to the welfare one in a second—we need to take those cries of help seriously when a young person—a young woman or a man—comes before police or any authority and says, "I have been raped." That should sound the alarm bells and we should have a mechanism to make sure that those people are taken seriously when it comes to their charge.

Now, I have been told by others, "What do you do about people who say that and it really hasn't happened? How do you deal with that?" The problem is that's the default in the system. We're so darned cautious about dealing with this issue that unfortunately a lot of cases of rape get reported but nothing is done about them. Because, again, it's a subject that a lot of people don't want to talk about.

That's why I said a little while ago that I was proud when Marilyn Churley, my colleague from Toronto-Danforth, got up and talked about this issue, because she was the only member of the Legislature tonight who was prepared to do that, other than myself as a New Democrat. I'm proud to say that I stand in a party that's not afraid to talk about these issues, not afraid to say there's a bias in our legal system that says if you're a woman and you say you're raped, they don't take you seriously. There's a bias when young people go before our police or before their teachers or the children's aid and say, "Daddy" or "Mommy" or "Uncle" or "Brother" or whoever "has done whatever to me"; they're not taken seriously. And until we talk about that issue out in the open and we're able to, as mature adults in this Legislature—and I would then argue within our police departments, our children's aids and all other agencies—discuss how we deal with that, how do we set up the system in a way that we get rid of that bias?

I've had the opportunity and the pleasure of working for a number of years with the women-in-crisis centre in the city of Timmins. You wouldn't believe the fight that we had to open up a rape crisis centre in the city of Timmins, and a lot of it not only by men but by women who said, "Oh no, geez, we don't need one of those in our community. That don't happen here."

I remember in 1991-92 when our government, the NDP government, was in the process of trying to reopen a rape crisis centre in the city of Timmins, I had people coming to my office, petitioning that we shouldn't do it. Why? For a whole bunch of reasons, like, "We don't have that kind of stuff happen in Timmins." I'm sorry. It happens everywhere. It happens in our families; it happens in every community across this province. It's an unfortunate thing, but it does happen.

I've had the pleasure of working with the people at the Timmins Women in Crisis centre, the professionals they are, because they have been, at least to me, a great help in being able to refer people who come into my constituency office who say, "I've been raped," to get them over to the Women in Crisis centre. Often I've walked them over myself. As a matter of fact, this summer, it was the month of July or August, I had a young woman in her 20s who walked to my office on a day that we were closed. She was banging at the window, crying. I go open the door and say, "What's the matter?" She says, "I've been raped and the police won't do anything about it." I had to walk her down to the Women in Crisis centre, which is a couple of blocks away from my office, and even they had difficulty. They dealt with the counselling fine, but even they are having difficulty today trying to get the police to take that issue seriously, because it's not a comfortable issue to deal with.

I say to the Attorney General, who is present, you need to tune up the legal system—I have no other way of saying it—so that we take those allegations seriously. We must remove the bias from the system that says the onus is always on the victim to prove that it happened to them. We have to listen to the cries for help from the victim and say, "Let's go out and investigate."

You know what? At the end of the day, if the perpetrator of the assault, either the pimp or the actual john, feels they're going to get caught, feels that they will be publicly—that's the one point I didn't make. We should publicly say who these people are in the first place so that they are held up in the communities as the perverts they are. Send them out there and then prosecute them to the full extent of a stronger Criminal Code, or you're not going to have a chance to be able to curb what's happening when it comes to the victims.

I want to take the three or so minutes that I have left just to make one other point, and that's the one that I wanted to make a little while ago about welfare. Again I want to say that as New Democrats, we're the only ones coming in here talking about this. Let's talk welfare. "Welfare" is not a bad word. The government has tried to make it so, but it is not a bad word. One of the things we need to do is to say to our welfare system that if we have

children out there who we suspect—and I'm not saying "have proven," because that's what we now do—are victims of sexual assault, we should be putting them into the welfare system in order to stabilize the situation for now. We should then, through the various community agencies, provide the type of counselling that young person needs to deal with his or her trauma. We should deal with the police to make sure that it's investigated and prosecuted to the full extent of the law, and we should provide financial and housing assistance to the person who's the victim.

Now what happens if the child is under the age of 16, if they don't have the permission of the parent—in other words, the parent says, "If you go to the welfare office say 'Mom and Dad kicked me out and I'm 16 years old,'" and the parents aren't willing to take the child back in, that's the only way the child can get welfare. The other way is to say the system believes that they have actually been a victim of a sexual crime. In that case the welfare will pay, but the onus is again—the child really has to prove it, and it's very much up to the local welfare authorities.

I know, for example, the district service board for Timmins that deals with these issues are people who have gotten fairly good over the years at being able to try to respond as best they can. I know Joe Torlone personally, the director of the DSSAB, and Joanne and others who run the system. They have taken the time to tell their staff, "When that happens and a young person comes in, let's give them welfare and let's at least try to stabilize the situation and investigate later. Let's not investigate, take a month, and then give them welfare," because by that time it's too late and the kid has run off and probably gone into prostitution on the streets of Toronto.

That's the point I wanted to make at the end. Unfortunately that's where a lot of our kids show up. From all across Ontario and across Canada they end up here, because this is where the highest concentration of johns is because of the size of the city. If they're not able to get help in their home communities to stabilize the situation by giving them, yes, welfare, where do you think they're going to go? If the welfare department turns them down, there's no community agency willing to deal with their trauma, the police aren't willing to do due diligence when it comes to investigating, those kids take off and they end up not only here but in many cases in the city of Toronto and they seek out an existence any way they can. Eventually, unfortunately, some of them end up in child prostitution. I say that's a sad reflection on us as a society, because it says we in this Legislature have failed to find the solutions that help us deal in a real way with the issue of child prostitution.

So I support the legislation in a general form, but I really want the committee to deal with the issues as laid out in the debate by both Marilyn Churley and me and other New Democrats, in order to deal with this issue so we get to the root of what causes children to go into prostitution.

**The Acting Speaker:** Comments and questions?

1940

**Hon Brenda Elliott (Minister of Intergovernmental Affairs):** As I listen to the very serious debate tonight, I'm reminded of all the initiatives our government has undertaken to take care of children, whether you look to the education portfolio, where we have undertaken so many different programs in everything from standardized testing to curriculum reform, with an eye to making the very best possible education system for our children; or whether you look into the children's portfolio, where we have looked at establishing the very best science from Fraser Mustard to give children the very best early start. Our infants' and preschool programs are being recognized as leadership programs across the country.

The other piece that comes to mind as I listen to the debate tonight is the victims' programs we have set as a priority for this government. We established a Victims' Bill of Rights, and we've spent a great deal of time in this government since 1995 enacting and putting in place various pieces of legislation and policies that look to protecting those most vulnerable in our society.

Tonight, as we listen to this debate on Bill 86—the title of the bill, again, is An Act to rescue children trapped in the misery of prostitution and other forms of sexual exploitation and to amend the Highway Traffic Act—it's very clear this is the bill that looks to protect and rescue children who find themselves being exploited in the worst possible situations, the kind of experiences that will ruin them for life if someone doesn't step in to help them.

I'm very pleased to be part of a government that has taken the initiative to step forward, to not only be able, through this act, to take them away from the most horrendous situations, but also to punish those who have put those children in these kinds of situations, to make them responsible to pay for rehabilitation, to punish them by way of suspending their drivers' licences. We are taking action to protect Ontario's children.

**Mr Bartolucci:** This will be the last time I'll be able to speak on this bill at second reading, as it will be referred to committee for, certainly, alteration and modification and improvement. But I do want to agree with the member for Timmins-James Bay that indeed it is the responsibility of all levels of government, in fact of society in general. In the past, certainly the federal government has done its share. The municipal governments, certainly in my city and I know in the areas the member for Timmins-James Bay represents, have done their share. But this government hasn't come to the table.

Over the course of the last several years, they've refused to come to the table. I am happy to say that at last the government has responded to the requests of members from the Liberal caucus. This was—there's no doubt about it—a Liberal initiative. Dalton McGuinty believes the children of working families should be protected. I think now that everyone in the House is concurring in that, and I say it is very, very good that this thing is going to committee.

I want to leave the people of Ontario with the knowledge that Mallory—and the people who have watched this will know that Mallory was the teenage prostitute who went before the committee when the hearings were in Sudbury and in essence gave her life story—phoned my office last week and said, "I want you to know that I'm turning my life around. I'm at Cambrian College and I'm going to graduate. I'm going to work to graduate and hopefully someday I'll be able to go into social work." I think, here's someone who had to do it basically on her own and with the love and support of a wonderful mother and a wonderful father. It would have been so nice had the provincial government come to the table a little earlier for her. But do you know what? Better late than never.

**Ms Churley:** I want as well to congratulate the member for Timmins-James Bay for talking about what's going on in his riding and the issues there, and particularly for bringing up, as he put it, "'Welfare' is not a dirty word. We should be talking about it." It is important that when we talk about these kids—and I do want to take this opportunity as well; I don't know Mallory, but I've heard a lot about her, and it sounds like she's a wonderful young woman who is putting her life back together, and I want to congratulate her.

I do want to say, though, coming back to the young people we're talking about here and what my colleague from Timmins-James Bay said and what I said earlier and what others in this House have said, these are young people with severe problems. These are young people who need a leg up once they get out of that 30 days' confinement. These are victims we're talking about. I understand the government's talking about locking them up to help them, and I also understand there's a lot of sympathy for that. But these are very troubled young people who are going to need all kinds of supports.

In fact, there might be a way to do this under the Child and Family Services Act that doesn't necessarily lock them up. They're younger kids; put them before a judge. The judge looks at their situation and their life history and actually suggests or orders a particular treatment. I think that's far more effective in dealing with these young people who have been beaten up and abused, perhaps all of their lives. It may take years for them to get back on their feet. They need to have welfare in place; they need decent, affordable housing; they need a chance for counselling. They need these things. If we truly want to save them, that has to be put in place.

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet):** I want to thank the Attorney General for the opportunity to speak out on what I believe is a very important bill. I want to acknowledge first of all the leadership of the Attorney General in taking another step further, I believe, in the protection of children in this province. It's very important for all of us. I'd also like to acknowledge the member for Sudbury and the role that he has played in advocating in this area. It's a very important role he has had.

This is another step in many that this government has taken forward in the protection of children. I can only think back to the time when Jim and Anna Stephenson visited me several years ago when I was Solicitor General in this province and talked about the disastrous and appalling situation which their son Christopher Stephenson had gone through in terms of being murdered and also being sexually abused as well. That, because of a lot of the actions of ordinary people across this province and the support of the policing community and in fact the support of all of the members of this House, resulted in Christopher's Law, a very important law which created the very first sex offender registry across this province.

This only underlines the importance of our moving forward in many initiatives to protect children. It's also a very great shame that we don't have protection beyond the borders of Ontario for children against pedophiles and dangerous sexual predators out there.

I want to say that this is an important measure because it's another step, that we can in fact play a very important role in protecting young people in this province. I don't think there's enough we can do in this area. I think all of us here feel very strongly about that, whatever our individual political views are. But at the end of the day it's very important for the government, under the leadership of the Attorney General, to bring forward this measure, because we need someone who is going to show the leadership to bring this particular measure forward.

I look forward to the support from all members of this House of what will be a very important measure for this province.

**The Acting Speaker:** The member for Timmins-James Bay has two minutes to respond.

**Mr Bisson:** I'd like to thank the members for Guelph, Sudbury, Toronto-Danforth and Markham. I guess I'd start with the comments from the members for Guelph-Wellington and Markham. You talk about all the wonderful things that you've done in order to deal with this issue. The problem has gotten worse under your watch. It's not all your fault, because this is an issue that has been around for a long time, and it has been an issue that all governments up to this point have not adequately dealt with. I take part responsibility for that as a New Democrat. I think we tried by way of a number of measures, but obviously we didn't go to the extent that we really needed to be able to curb this. To stand there and say, "Look at all the wonderful things we did," and somehow the world is better and we've got this problem fixed doesn't cut it. The reality is that under your watch it has gotten worse.

The other thing I want to say, and I want to repeat it again, is that it's only New Democrats who are getting up in the Legislature tonight to speak about this. That's why it's important to have New Democrats in this Legislature, because it's important sometimes to stand up and talk about societal issues that are somewhat uncomfortable to speak about but none the less we need to have these kinds of debate to talk about what some of the root causes are.

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I just come back to my original point: at the end of the day we'll support this legislation, but I don't believe this is going to amount to a heck of a lot to deal with taking the johns and the pimps off the street. Removing somebody's driver's licence is not going to be a sufficient deterrent to take them off the street and stop engaging in child prostitution; what will are severe penalties under the Criminal Code, and we've got to go to Ottawa for that. Provincially, we have to have the treatment programs in place, which you're not putting in this legislation; we have to support rape crisis centres; we have to support our police, to make sure that they take the allegation of sexual abuse seriously; and we have to take the gender out of our courts so they recognize that indeed these things do happen. We have to take them seriously, and not always have the onus on the victim to prove, but actually try to turn it around somewhat.

**The Acting Speaker:** Mr Young has moved second reading of Bill 86, An Act to rescue children trapped in the misery of prostitution and other forms of sexual exploitation and to amend the Highway Traffic Act. Is it the pleasure of the House that the motion carry? It is carried.

Pursuant to an order of the House earlier this evening, this bill is ordered referred to the standing committee on justice and social policy.

#### REMEDIES FOR ORGANIZED CRIME AND OTHER UNLAWFUL ACTIVITIES ACT, 2001

#### LOI DE 2001 SUR LES RECOURS POUR CRIME ORGANISÉ ET AUTRES ACTIVITÉS ILLÉGALES

Resuming the debate adjourned on May 28, 2001, on the motion for second reading of Bill 30, An Act to provide civil remedies for organized crime and other unlawful activities / Projet de loi 30, Loi prévoyant des recours civils pour crime organisé et autres activités illégales.

**The Acting Speaker (Mr Bert Johnson):** Further debate?

**Ms Marilyn Churley (Toronto-Danforth):** Thank you, Mr Speaker. I guess I'm out of the loop now; I didn't realize that other people from other parties weren't speaking tonight. That's because I'm not the whip any more.

I'm not sure why. I actually haven't had an opportunity to—

**Mr Dominic Agostino (Hamilton East):** Speak to your House leader.

**Ms Churley:** Well, I think we should be debating this tonight. It's up for second reading. I know we've debated it before, but here we are back in the House and, after all, that's what we're here for: to have discussions and debates about this.

I'm not sure why the Liberals and the Tories aren't speaking about this tonight. I'm glad that I have an opportunity, because I haven't had an opportunity to speak to this bill yet.

I think it's important to get my thoughts on the record about why we're not supporting this bill. This is another one in the whole litany of so-called law-and-order bills that the government is trying to rush through.

There's no pretence here that this one is sending out a signal. But it's really problematic and I'm going to spend a few minutes telling you why. I know the member for Niagara Centre, our critic in this area, and others in our caucus have spoken to this bill, and I believe my leader is coming in later to speak to it again, because we want to knock some sense into your heads on this bill. It doesn't make any sense.

Let me say from the outset that no one, including the New Democrat caucus and I, is suggesting that those who commit crimes for profit should be let off the hook, particularly in light of what we were just talking about in this House: pimps who make money off the abuse of children. We're not suggesting that for a moment. But there's a real problem with this bill. To use it to justify civil forfeiture is outrageous. The government is saying that it should have the right—and I'm going to explain what this is about—to seize property and money when there hasn't even been a conviction.

I know to anybody listening out there it sounds like, "Well, if people are making money committing crimes, then we should take the money away." But mistakes can be made and will be made. You can't be going out there grabbing money because you think you've got enough proof, without any kind of conviction seizing their property. I just find it outrageous.

The government is saying that it should have the right to seize property and money where there hasn't even been a conviction, or where an individual has not been found guilty. This is a democracy we're talking about; I don't think we do that in a democracy.

Government needs to adequately fund our police forces. I think that's the real problem here. There are fewer police on the street now than when the NDP was in government. What we need to do is make that force strong enough so that they're not reliant on the seizure of property and assets. All we have to do is look at what happened in the States to understand the road we are headed down. I'm going to tell you a bit about what happened there. It's important that we pay attention to this. I know people feel, "We've heard all this before. We don't need to be having this debate tonight and we're just going to carry on and support it." I believe the Liberals are supporting this bill as well. I think it's important to pay attention to what we're saying about the very serious problems with this.

This legislation for drug cases was introduced in the United States in the 1970s. What they did there was that, instead of proceeding against a person by a criminal process in which the usual protections applied, the government could move directly against the person's

property, which had no constitutional rights, without the need to charge the individual with any offence. The standard of proof was lowered from criminal—and this is a really important point here—that is, beyond reasonable doubt—which is what we depend on in a civil society and a democracy—to civil, with a balance of probabilities. This is key to what we're doing here.

In the 1980s, when the drug war frenzy was going on and the introduction—I think this was 1984—of legislation that gave police the right to keep what they seize, the right to apply civil law became more attractive. But here's what happened, here's some of the fallout and here's what we should be paying attention to before we pass this bill. I'm talking again about what happened in the States. Because police are sometimes given performance bonuses and salary hikes on how much they are able to grab, resources were shifted away from the violent criminals towards the wealthy ones. This actually happened in the United States; we're not making this up. There's been a reduction in charges filed under laws where there would be imposition of fines in favour of actions, civil and criminal, under laws where indeterminate amounts of assets can be seized.

Another thing: some critics argue that this practice skews the choice of who gets prison time and who walks. A wealthier person can bargain their way out by offering police part of their property, while the poor get the hard time.

**Hon David H. Tsubouchi (Chair of the Management Board of Cabinet):** Oh, come on, Marilyn. That's not the case.

**Ms Churley:** There are numerous examples. I'm talking about what happened in the United States.

**Mr John Hastings (Etobicoke North):** Well, this is Canada.

**Ms Churley:** We have to pay attention. What are they getting so excited about? I'm telling you what happened in the United States. I'm going to give you an example of what happened, a particularly abhorrent example, in Florida where a sheriff—and this is one of the worst examples, true, but it did happen—set up a trap on Interstate 95 to wave down cars at gunpoint and seize any cash he found. Do you know what the result was? The result was an average of \$5,000 per day for the law enforcement budget. When people noted that most of those whose money was seized were black or Hispanic, the sheriff actually replied that most drug dealers were black or Hispanic. When asked how he was so sure the money came from crime, he pointed out that few people whose cars were stopped at gunpoint asked for a receipt.

The members don't want to hear this. They're thinking I'm insulting, I believe, the police here. That's not what I'm doing. I'm giving concrete examples when similar legislation was passed in the United States. Pay attention to that. We do not want that to happen here.

Despite these many abuses and repeated congressional investigations, the law enforcement community did manage to block modest reforms for years. In spring 2000, a few changes were finally pushed through so that they did

slightly strengthen innocent owner protection, and they did provide owners with counsel and oblige the government to pay compensation if the claimant prevails. The government, after the changes were made, actually had to make a case on civil grounds before the property was taken, although police can still seize on probable grounds.

But these reforms came at a price. There's an expanded list of crimes for which civil law applies. Police were given the right to demand total proceeds instead of net earnings of alleged crimes and the right to seize an entire bank account, even if the funds were totally innocent, provided that some supposedly criminal funds, no matter how small the sum, once ran through that account.

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There is some debate—I'm sure the government is aware; this has been pointed out before—about how effective this is. It is a matter of debate, but many independent researchers "have analyzed the structure of drug or other networks involved in profit-driven crime, and come up with consistent results." Look at the research. I know you don't want to believe me, but look at the research. Tom Naylor of the Nathanson Centre says that organized crime is mostly made up of "small-time operators with short career life-expectancies whose earnings are generally modest and almost always blown on fast living, leaving little or nothing left to seize. Forfeiture will, at best, fill the coffers with the trailer homes, cars and motor-boats of ordinary citizens with no sign of the narco-barons'" mansions, "yachts or gold-plated bathtubs."

*Interjections.*

**Ms Churley:** He wrote that in the fall of 2000. You should take a look at that. He's an independent researcher. You haven't done the research. You haven't done the study. It's your job, as government legislators, to look at the research before you pass this kind of legislation.

**Mr Hastings:** Did you do yours when you were over here? No.

**Mr Gilles Bisson (Timmins-James Bay):** That's his excuse?

**Ms Churley:** What did he say?

**Mr Bisson:** Never mind.

**Ms Churley:** It doesn't matter.

Again, some of the main critiques of this legislation were summed up by Tom Naylor from the Nathanson Centre for the Study of Organized Crime and Corruption. He wrote in an op-ed piece in the *Globe and Mail*, August 29, 2000: "The legislation will destroy the distinction—"

*Interjections.*

**Ms Churley:** I don't think you understand over there what I'm trying to explain to you.

"The legislation will destroy the distinction between civil and criminal processes, reverse the burden of proof, smear perhaps innocent citizens with the taint of criminality without benefit of trial, and turn police forces into self-financing bounty-hunting organizations."

*Interjections.*

**The Acting Speaker:** Order.

**Ms Churley:** I'm just trying to point out—the government is determined to pass this legislation—that some research has been done where this legislation has already been put into practice, and these are some of the things that happened. That has to be taken into account.

It's my understanding that the government has spent about \$4 million on consultation on this in the crime summit. The government will now have to spend more money to fund their strike force. The Attorney General has said they're willing to find the money to put into this, but we still don't know how much it will cost.

I want to talk a bit about the federal jurisdiction and what they're doing. There are such provisions in the Criminal Code of Canada. Again, if people had been paying attention while this bill was being developed and debated in the House, they would know that. But the Attorney General has said to us—and I believe I'm quoting him; he can tell me if I'm wrong—that they are not really effective. According to the OPP, the problem with the federal legislation is that you have to have a criminal offence and conviction. The federal government is claiming they have used existing proceeds-of-crime laws to seize about \$230 million in assets since 1993.

I know that our colleagues in the federal NDP caucus have been focusing a lot of their response to the lack of action by the federal government on organized crime around the cancellation of the Ports Canada police force several years ago, and that is a real issue. I come back again to the fact that we should have a strong police force so they can go out, find the proof, arrest these people and have them charged and convicted. I would think every member in the House would agree with me that the cancellation of the Ports Canada police force was a problem and should not have happened.

The criminal lawyer John Rosen has said the new act is "totally ridiculous" because Queen's Park is trying to supersede Ottawa. He claims this is criminal legislation and beyond the jurisdiction of the provincial government to pass.

I want to come back to the premise that nobody in this caucus is suggesting that people should gain profits from crime and be let off the hook. They have to be rooted out. I have no objection whatsoever, and nobody in this House does, once these people have been rooted out—and in a democratic system that's what we have to do. The idea that people, perhaps innocent people, and we've had some examples—my leader and the member from Niagara Centre have pointed out a particular case in this House, somebody who would be the victim of this legislation, who claims she is totally innocent in a situation, but under this legislation she would not have the opportunity to prove that. That's our concern about this legislation.

We do want ways to make sure that when people are making money from crime, whether it be a small amount of money or a lot of money, that money is seized. I like the idea of it being given back to the victims. I know there is a clause in this bill that says the money doesn't

necessarily have to be used for this purpose. I can't find the section here, but it doesn't spell out specifically what other purpose it might be used for. Perhaps the AG, in his two-minute response to what I'm saying, can give us an example of this; I can't find it here. I wanted to read the specific section to you, but I don't have it here.

Particularly in regard to the issue we were talking about before, I want to make it abundantly clear that I and the NDP caucus support legislation—strong legislation—and support enough resources for the police force so these people are rooted out, arrested and end up getting the justice they deserve, that they end up having to give all the proceeds from their crimes and have that money go to the victims of crime. It is particularly abhorrent that there are in fact people out there making money off the abuse of children, the abuse of young people, and that money ending up in their hands after they so obviously abuse children and make money off it.

So what we're asking the government to do is take another look at this bill and to look at some of the independent research that has been done on this particular bill. The summit they held, I believe in August 2000 in Toronto, did bring together national and international experts. I understand there were people from the US Department of Justice, the Attorneys General of other provinces, federal justice officials, police representatives and prosecutors, and I understand there were delegates from a number of countries, from all over the world, including England, Wales and Ireland. This summit focused on emerging trends and a wide range of activities such as money laundering, drug trafficking, telemarketing scams and credit card fraud. The stated intention of the government at the time was to use the summit as a platform to formulate initiatives contributing to a multi-pronged legal strategy to fight corrupt organizations.

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It seems to me that all we've seen as a result of this conference which had experts from all over the world looking at the emerging trends and multifaceted ways to deal with it, all the government came up with as a result of that, was Bill 30, the Remedies for Organized Crime and Other Unlawful Activities Act. It looks good on paper. It sounds good, I'm sure, to a lot of the public if they don't understand the implications of this. You just go grab people if the police believe they probably received the money from crime and take their money away. They have no recourse before the courts. There's real concern, and there has to be real concern in a democracy, that innocent people could get caught up in this and have their lives completely destroyed. That's something that I don't think anybody in this Legislature wants to see happen.

So when I speak about my concerns about this bill and the concerns my caucus has about this particular bill, those are the reasons why: the concern that innocent people will end up having their lives ruined. I don't think anybody in this Legislature wants to see that happen.

**The Acting Speaker:** Comments and questions?

**Mr Garfield Dunlop (Simcoe North):** I'm pleased to rise this evening to make a few comments on the second reading of Bill 30, the Remedies for Organized Crime and Other Unlawful Activities Act, 2001. I'd like to thank my friend and colleague the Attorney General for bringing forth this legislation.

The intent of Bill 30 is to assist victims of organized crime and other unlawful activities, particularly organized activities that have a financial motive and that financially victimize innocent people. Bill 30, as it is currently drafted, would give us one tool to go after unlawful profits, including those made by terrorists. If passed, our government would use Bill 30, where it is warranted, to protect victims and prevent further victimization.

To the extent that terrorists engage in unlawful activity to make profits, Bill 30 would give us the means to seize, freeze and ultimately forfeit the proceeds of unlawful activity. The proposed legislation would allow civil courts, first of all, to seize, freeze and forfeit to the crown the proceeds of unlawful activity; seize, freeze and forfeit property or instruments likely to be used in the future commission of unlawful activity; grant remedies such as injunctions against unlawful conspiracies of two or more people; and, finally, assist the victims of unlawful activities.

Since September 11, our government has begun to explore all available options to help victims. We've provided the services of the chief coroner in identifying the bodies of victims. We're providing up to \$3 million to help Ontario families whose loved ones were victims. A victims' response team has been established and is drawing on the skills and expertise of staff of the Office for Victims of Crime to coordinate the efforts to assist families and victims. We'll be working with the families to help them navigate the legal process as they work to settle victims' estates. The victims' response team has set up a seven-day toll-free helpline available 24 hours a day, seven days a week as a point of contact.

**Ms Caroline Di Cocco (Sarnia-Lambton):** It's a pleasure to stand up to provide some comments on this organized crime bill. We do need to strike a balance: to be tough on criminals and at the same time protect the rights of the innocent. This bill lowers the level of that protection of those people who are innocent and is problematic for me because of that.

This legislation, in my view, also appears to be encroaching within the jurisdiction of the federal government. This law could possibly be struck down by the courts anyway because it is outside the provincial jurisdiction. This legislation may also violate the Charter of Rights and Freedoms, as it would allow the seizure of property of an individual without having established guilt beyond a reasonable doubt; instead on the civil standard of proof on a balance of probabilities, and the crown would be able to seize an individual's assets.

There are already significant powers of seizure in this province, and yet Ontario, according to Margaret Beare of Osgoode Hall, is one of those provinces that tends to use this significant power of seizure less than some of the

other provinces. I guess it's important. Author Yves Lavigne, the foremost civilian expert on the Hells Angels, called this organized crime bill a joke during one of his TV appearances. In response to the question, "What's it going to affect?" Lavigne said, "Nothing."

**Mr Bisson:** First, I want to congratulate my good friend Marilyn Churley, the member for Toronto-Danforth; again, New Democrats standing up and speaking on issues that are important, making sure that we put on the record those comments and those suggestions that we think would be useful for the legislation.

Again, it's somewhat like the other bill. We understand what the government is trying to do. They're saying, "We want to make it not profitable for organized crime to exist." I think most people would agree with that. But I think there lies the strategy, and the strategy by the government is a very simple one: "We have a great photo op. We say we're doing something." But in the end there's nothing there, it's like a marshmallow: you punch it and there's no substance.

It's like you come out with your victims' rights bill. Somebody tried to go to the courts under one of your previous bills dealing with victims' rights and the court said, "It's not worth the paper it's written on. There are no rights here. Nobody's being protected." All this was was a photo op for the Premier, the Attorney General and the Solicitor General to stand up and say they've done something for victims.

I suspect, as was said earlier, that this particular law will have some difficulty surviving past the challenge, because really there is a concern that what this does, by moving it from criminal law to civil law as far as the proceeding, it's a way of the government trying to get around its restrictions in this domain by virtue of the authority of the federal government through the Criminal Code.

We understand why they're doing it. I think the member for Toronto-Danforth made the point that this is nothing more than another "make me feel kind of good inside" piece of legislation that, when you really look at it in detail, doesn't really measure up to anything, because all this bill is—let's admit it, government members—is an opportunity for the government to say nice things about how you're fighting crime, but when you look at the interior there's nothing here for victims, nothing here to protect the public, really nothing to deal with the issue over the longer term.

**Hon David Young (Attorney General, minister responsible for native affairs):** I appreciate having an opportunity to comment on the remarks made earlier this evening by the member for Toronto-Danforth. I want to say this at the outset, if I may: I heard the New Democrats and the Liberals listing all sorts of reasons, fanciful most of them, as to why it is that they had difficulty embracing this bill. I will tell you, though, that when I spoke to the federal Minister of Justice—

**Mr Bisson:** What did he say?

**Hon Mr Young:** No, it's "she" actually—it was quite clear that Minister McLellan was of the opinion that this

was a necessary additional tool, one that would help us combat organized crime in this country. I will tell you that I view it in very much the same way. It is not instead of criminal law; it is as well as criminal law. No one tool in a tool chest is going to be sufficient to combat what is a growing problem across this country, and that is organized crime. We're not just talking about drugs and thugs the way we once were. These are very sophisticated individuals who can stockpile money and channel it through our system in ways that were never dreamed of years before.

That brings me to another point. Given the tragic events of September 11, we are looking for ways in which to alter our society while making sure that rights are still protected. But at the same time it is incumbent upon us as legislators to consider how best to prevent those tragic events from happening again. Bill 30, as it is currently drafted, would give us one tool to go after unlawful profits made by terrorist organizations. If passed, our government would use Bill 30, where it is warranted, to protect victims and prevent further victimization. To the extent that terrorists engage in unlawful activity to make profits, Bill 30 would give us the means to seize, freeze and ultimately forfeit, in some cases, the proceeds of that unlawful activity and prevent those funds from being used in this country or elsewhere.

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**The Acting Speaker:** The member for Toronto-Danforth has two minutes to respond.

**Ms Churley:** I want to thank all those who took the time to comment.

The Attorney General mentioned that what they're trying to do is find a balance here. Well, I'm submitting to you that this isn't a balance, that you've stepped over a line. You have turned around a democratic way of dealing with criminals, so that you get the real bad guys and don't convict the innocent without a trial—you've stepped over a line. There isn't a balance here any more.

If you're serious about seeking justice for victims of crime, you would make good on your promise to introduce a real Victims' Bill of Rights, not the pile of fluff that has been called empty and meaningless by the court. It seems to me that when you talk about this bill you keep coming back to the fact that this is all about victims of crime, when you've got a bill that's been called empty and meaningless by the courts. Once again, what you're doing here is you're big on rhetoric and really short on substance, and I think deep down you know that. That's why there's all the rumbling and complaining and people walking out and being upset by the comments from over here. You know there's some truth and reality to what we're talking about here, otherwise you wouldn't react the way you do.

I would suggest, once again, that the purpose of this Legislature is for all of us to debate the issues. The opposition has an opportunity to critique a minister's and a government's bill better than the backbenchers do because you're given your speaking notes, you're given

your walking orders and you say what you have to say. That's the reality of what you do.

**The Acting Speaker:** Further debate?

**Mr Bisson:** The sad part in following up on the comments from my good friend and colleague from Toronto-Danforth, Marilyn Churley, is that the government is not getting up and saying anything. The government has decided they're going to sit down and not participate in this debate. When it comes to actual debate, they're going to limit to one day the amount of time this bill goes to committee.

What's really interesting is that complicit in all this are the Liberals. Both of you are the same—the Liberals and the Tories. One has a really hard time trying to make a distinction here in the House, because more times than not the Liberals are trying to facilitate the agenda of the Tories. Again tonight, on two important bills for the province of Ontario, one dealing with the prostitution of children and this one dealing with the proceeds of crime, you've got the Liberals and the Tories sort of snuggling up and trying to pass their agenda together. They're not prepared to have the real kind of debate we have to have here, but more importantly, the ability of the public to come before us at committee and to try to give these bills some teeth.

I ask what I asked on the other bill: is the intent of the bill good? Yes, I agree with the government that the intent is good. If we were trying to financially penalize people who are engaged in criminal activities by being able to get at their assets in some way—be it a car, a house or money in a bank account—I think the intent is good. I know it's good; I have no argument with that. The problem is, we already have those provisions in the Criminal Code. It seems to me that about 20 years ago—and somebody would have to give me the exact date—the federal government, I think under Brian Mulroney, brought in legislation that said that when you're going forward and prosecuting somebody under the Criminal Code, the authorities—the police and courts in that case—have the ability to go after the assets. But you have to do that under the provision of the Criminal Code. Why? Because the burden of proof is much stronger when it comes to the Criminal Code than it is for civil law. So we already have that provision. It already exists.

Is the Mike Harris government creating a brand new idea, something that's new, exciting and that is somehow going to work better? No. We already have the idea of doing this under the Criminal Code with the federal government, where it belongs, because at least there you have to have a charge, there has to be a trial and there has to be a conviction. Do you remember democracy? The whole idea is that nobody goes to jail unless they've gone through the procedure of a trial by their peers. Well, it should be the same when it comes to these issues. There's a possibility—I see the Solicitor General going, "Nah, nah, nah, nah." I know you're taught to do that. That's the mantra you've been told to say when it comes to this, but there is a reality.

**Hon David Turnbull (Solicitor General):** You're the expert. You did such a good job when you were in government.

**Mr Bisson:** Yes, I am somewhat of an expert on this. At least I'm getting up and raising the issue. You're not. You're the Solicitor General. You should. You, as the Solicitor General, should be worried.

**The Acting Speaker:** I'd ask you to direct your remarks through me to anyone else.

**Mr Bisson:** I agree, Speaker. I will direct my comments to you.

I simply say that under the federal jurisdiction, if somebody is to have their assets seized, there at least has to be a trial. The problem with what you're doing here under the civil code is that the burden of proof is not the same. All you have to have is probability, belief that the person is engaged in the crime he or she has been told they've been involved in. That's open to all kinds of abuse.

I know government members are going to say, "Oh, yeah, really. Yeah, abuse. Give me a break." Let me give you a little something I read over the summer. I was reading an interesting book that had to do with capital punishment. Every now and then that issue comes back and rears its ugly head as a way of being able to fight back against those people who unfortunately take somebody else's life.

In the book—it was interesting—there was a section on a study that was done in the United States on cases of capital punishment. This is directly related to this, and you'll see why. They went back and looked at the cases where they carried out the sentence; in other words, they've electrocuted, gassed or hanged the person who was tried and convicted. In those cases where they were able to go back and take a look at the DNA evidence or other evidence, there's a whole bunch of them that could have been overturned, because it turns out that a number of those people, a great number of them, were basically tried, found guilty and sentenced when they were actually innocent.

Here is the real interesting point. Do you know what percentage—

**Hon Mr Tsubouchi:** That's why we need to expand the DNA data bank.

**Mr Bisson:** No, here's the point. It's got to come back to this. Who were the biggest victims of those who were improperly prosecuted and found guilty when they were innocent? It wasn't people who had money, like O.J. Simpson, who was able to go to court, hire the best lawyers and get away, or not get away, with whatever he was accused of. In fact, it was those people who were the poor: the Hispanics, the blacks, the working class and the unemployed. When they looked at it—

**Hon Mr Turnbull:** Let's expand the DNA data bank.

**Mr Bisson:** Then I hear government members saying, "Well, they're the ones who create most of these kinds of crimes." Popycock. Come on.

**Hon Mr Turnbull:** That's not what we said.

**Mr Bisson:** I didn't say you said that. I've heard that argument before. I'm saying the argument is that there has to be the burden of proof under criminal law. At least there is the process of a trial, and at least the person has an opportunity to defend himself at trial, albeit how difficult that can be if you don't have the money to go out and hire the type of lawyers O.J. got when he got away, or didn't get away, with whatever he was accused of.

So I say to the government that there is already a process under the federal jurisdiction that deals with this particular issue. I would argue that what we've got is a government that wants a photo op. They want to say to the public of Ontario: "We want to be seen as the government that has the toughest approach when it comes to dealing with issues of crime." That's all this is; it's a photo op.

In the same way, Mr Speaker, you will know well that in the last Parliament, I believe, we passed a law in this Legislature that dealt with victims of crime. The government, I remember, got up and said, "This is going to do wonders to give victims the kind of redress they deserve when they become victims of crime." People tried to go to court with that. They took the legislation and said, "I want to go to court, and I want to use what's in this law so I can get justice as a victim." Do you know what the court said, Mr Speaker? "That isn't worth the piece of paper it's printed on." The government engaged yet again in an exercise where they wrote a piece of legislation that allowed them to have a whole bunch of press conferences to say how wonderful they were at protecting victims. But when victims went out to try to use that as a mechanism to get justice, they couldn't.

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I'll give you a good example. I have a constituent in my riding, M. Gagnon, whom I've been dealing with for some time. I've known him a lot of years. He's an honest individual, a hardworking person. He was a victim of crime. He was a victim of something that happened to him when he was on holiday at some point and unfortunately suffered as a result of those actions that were against him. He goes to the Criminal Injuries Compensation Board to try to get some measure of compensation for what happened to him as a result of those actions against him. I forget what he got, but it was a measly amount of money. I don't remember the exact number and I don't know if I should say it here, because he probably would feel embarrassed if I said publicly how little he got.

My point is this: if the government is serious about dealing with victims of crime, why not beef up the amount of dollars that are at the Criminal Injuries Compensation Board so that people like Mr Gagnon can be properly compensated for what has happened to them? For example, if you're going to do this type of legislation, I would argue at the very least you should have the burden of proof that you only seize the assets after the person has been tried and convicted by a jury of his or her peers. I don't think it would stand up in court,

because it is a federal responsibility. But if you made that argument, then at least in your legislation say that the money is going to go to support things like the Criminal Injuries Compensation Board.

Instead what we've got is the government who says, "My Lord, the legislation says we are going to give the police officers an opportunity to tap into"—the police department; it's not the officers. The officers are hard-working individuals, as we all know. "We're going to give police departments the ability to apply to get some of this money so they can beef up their programs." The problem with that is, boy, can that be open for abuse. Instead, I want the money to go directly to the victims and go to people like Mr Gagnon and Mrs Last and a whole bunch of other people I have dealt with in the constituency who come to me over problems with the Criminal Injuries Compensation Board.

It takes forever to get your case heard, and when you do finally get it heard, you get very little in the way of real compensation. So I say to the government, you want to do something that's concrete? You want something that allows you to get a good press opportunity to say how you're trying to help the victims? You help Mr Gagnon. You tell Mr Gagnon that when he tries to get his appeal before the Criminal Injuries Compensation Board, you're going to put in legislation something that's going to give him an opportunity to get what is justly his as far as some type of compensation and that you're not going to insult him, or Mrs Last or a whole bunch of other people that I've dealt with, with the measly amounts of money that you're giving by way of the Criminal Injuries Compensation Board.

I argue that's something positive you can do. If you're trying to figure out how to fund that, get into some kind of an agreement with the federal government that says, "When we do seize assets from those who have been tried and convicted of a criminal offence, when we redirect money away from those individuals, in other words, we seize their assets, the money doesn't go to anything else but the victims themselves; that we support the Criminal Injuries Compensation Board and others to be able to give the victims the just due they deserve." Then what you can do as a government and what I would do as a New Democrat—in fact, we did this—is properly support our police departments around the province so that they have the wherewithal and the means to be able to go out and do their jobs.

It's a shameful thing that the number of police officers in this province has diminished by some 1,000 officers in the time that the Tories have come to power. We've done hardly anything to be able to replace those police officers who are retiring and the natural attrition that happens on our police forces with an ever-growing population in our province. We as a society have to be able to deal with making sure that we have adequate police to protect us in cases where there is criminal activity going on or other activities.

So I say to the government, it's shameful that you're not doing more in order to be able to fund the police

forces across this province, both the OPP and the municipal forces, so that they can go out and do their job; so that they have the type of divisions or the type of departments within their police forces that allows them to deal with the issues of gambling, allows them to deal with issues such as child prostitution, allows them to deal with the issues of trying to get at some of the biker gangs and others who are involved in the type of activities that you're trying to deal with in this legislation.

That's something that you could do. That's something that's directly in your control. But no, no. You bring in another piece of legislation that allows you to get yet another press opportunity but does very, very little in order to be able to deal with the root cause again.

I want to read something into the record that came from Tom Naylor, of the Nathanson Centre for the Study of Organized Crime and Corruption, who wrote an op-ed piece in the *Globe and Mail* in August 2000. It's an interesting argument—and again, it's an argument. The government can get up and say, "We disagree with that." I understand that, but it's an interesting argument. He says the legislation will, "destroy the distinction between civil and criminal processes, reverse the burden of proof, smear citizens with the taint of criminality without benefit of trial, and turn police forces into self-financing bounty-hunting organizations."

I dealt with one of them, but I just want to come back to the thing. It really comes down to this whole issue of burden of proof. If you're charged under the Criminal Code, there has to be, in order for this type of thing, a trial. A person has to be charged and convicted. There has to be a trial; there has to be a conviction. What you're trying to do here is say, "We have reason to believe that John Doe, who lives down at 123 Main Street, has been involved with some sort of illegal activity. We're going to bring him to civil court and we're going to basically seize his or her assets at 123 Main Street."

Here's the problem: once you go to civil court, it's a totally different ball game, because police would be empowered to go to civil court, where there's a lower standard of proof than criminal courts, and the government says that charges need not be laid before assets are seized. So under civil court there's a lesser burden of proof as compared to criminal court. But what really is troubling here is you're saying we're going to allow this to happen if there is no conviction. I say, as is pointed out in this op-ed piece by Mr Naylor, that basically you could end up in a situation where people can be smeared and then be innocent.

I remember reading a few years ago a tragic story about a person who had been charged, but not found guilty, of a sexual offence in a community, I think in around the Guelph area. I don't want to say the community, because I'm probably wrong. The point is, the person had been charged and had not been convicted, but just in the charge had become a huge story. This person, I believe, was a real estate agent in the community, and basically his career was destroyed by even the charge being laid, for the terrible actions that he was said to have

been involved in. The person, after he was not convicted, picked up roots, moved to another community and tried to start all over again so that hopefully he could get on with his life. The story followed him and a couple of years later was raised again, and as a result the person committed suicide. It turned out after the suicide that the person who was actually responsible for the actions that the person who committed suicide was charged with came forward and said, "It wasn't him; it was me." So the danger is we could end up with those kinds of situations. It already can happen under criminal law, but at least there's a higher burden of proof that the crown has to have in order to go forward and summarily charge somebody and then get a conviction, contrary to what happens in civil law.

The other thing I want to point out is something I read that I thought was absolutely amazing. I read this and I actually started to laugh, because I thought, this can't be for real; this has to be a joke that somebody put into a briefing note. So I went back and I actually found this in the media and it had to do with something that happened in Florida. Let me just read this. It's absolutely amazing. It talks here in the briefing note about, "There are a number of examples of the abuse of these laws by police," meaning to say being able to seize assets without the burden of proof and without actually having somebody convicted. It says, "A particular bad example is the Florida sheriff who set up a forfeiture trap on Interstate 95 in Florida to wave down cars at gunpoint and seize any cash he found." Can you imagine this? This is where they have these types of laws. They've done this in Florida, and a sheriff goes out with his gun on an interstate and says, "Stop your car." The guy says, "I'm stopped. I'm stopped, officer. What do you want?" Then they did a search and the result was that an average of \$5,000 a day for law enforcement was added to their budget. In other words, they searched the car, and if they found large sums of money in the car or on the person, they seized those assets. Here's the really amazing part. When the media and others noted that most of those whose money was seized were blacks or Hispanics, the sheriff replied that most drug dealers were black or Hispanic.

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When he was asked how he was so sure the money came from crime, he pointed out that two people whose cars were stopped at gunpoint asked for a receipt. If somebody points a gun at me, I ain't asking for a receipt. I'll say, "Have my wallet. Let me go. I don't know if you're a real cop. Just get the hell out of my life." Do you think I'm going to be asking for a receipt of somebody? I don't know if this guy is a real cop or not. Is this a scam? I would think it is. If I'm driving down I-95 in Florida, or anywhere else for that matter, and some guy comes up in a police cruiser, stops me, points a gun at me, finds my cash and walks away with it, I'm going to say to myself, "This can't be the real police. This must be somebody else." So of course I'm not going to ask for a receipt.

But the biggest point was what they assumed. They found, because most of the money that was seized was from blacks and Hispanics, the bias within the system was that because they're Blacks or Hispanics, obviously they've got to be criminals and, "Of course we're justified to take their money." Wow. Give me a break. Talk about systemic discrimination within the system.

In wrapping up, I make this simple point to the government: if you're trying to do something in order to help victims of crime, if you say that we want to be able to seize assets from those people who have been charged under criminal law and convicted and you want to get at their money, I agree with that. Good thing; not a problem. But then take the money and put it into things like criminal injuries compensation so people like Mr Gagnon in Timmins and Mrs Last, and many other constituents across this province who are trying to get justice through the Criminal Injuries Compensation Board, can go there and get some money as compensation for what has happened to them.

I suspect that what's going to happen to this money is going to be very simple. General revenue, that's where it's going to go. When times get tough, the tough get going, and the tough guy is the Minister of Finance, who is going to say, "I need all the bucks I can get and the heck with the victims." There are no assurances in this legislation that victims are going to benefit out of any of this in the end. So therefore I've got to conclude that this is yet another photo op. That's all it is.

If you really want to do something to help victims, Peter Kormos, our justice critic, and our leader, Howard Hampton, and the rest of the New Democrats will be with you in order to make that happen. But don't come in with these fluff things.

The last point I want to make is simply this: again, it's only New Democrats raising these issues in the House. Where are the Liberals and Tories? It proves that you need New Democrats to raise these issues. Otherwise they would never get raised at all.

**The Acting Speaker:** The member's time has expired. Comments and questions?

**Hon Mr Tsubouchi:** I'm a little confused, after listening to that long ramble and long anecdote, whether he's concerned with not so much the seizure but the use of the money after the seizure. I assume that's part of what he's saying.

Listen, the fact of the matter is this: we're looking for more tools to combat organized crime, plain and simple. If you had an opportunity to speak to some of the people who actually enforce the law and talk to them about what their needs are, they're looking for additional tools. We did have under the Attorney General, who is now the Minister of Finance, Jim Flaherty, a summit and we brought together police leaders and other leaders from right across the world. Within our own country we had Zack Zaccardelli, who is the commissioner of the RCMP, and other great police leaders in this province like Julian Fantino of the Toronto police and Gwen Boniface of the OPP, and I could go down a whole raft of them,

including Alex McCauley, who took a great lead in this as well. We brought in leaders from across the world and many Commonwealth countries; the United States came with the FBI. We had people from South Africa. We had people from Scotland Yard, from England, and from Ireland as well. All these people together, these experts from across the world, were clearly saying to us that we need additional tools to combat organized crime.

I suppose you can always say, "When do we have enough tools to combat organized crime?" What we intend to do, and clearly the intent of this legislation, is to try to cut off the source of those funds, so that they can't finance themselves to continue down this path in organized crime. The simple philosophy is that if you cut off the head of the serpent, hopefully the rest of the serpent will die. This is what this is all about.

When we start talking about resources, the fact of the matter now is that the seizures of some of the proceeds of crime which occur today have been used for an awful lot of good things within this fight against crime, whether it's police helicopters or other types of resources that we can assist police with right across this province. So I would suggest that there is going to be some very good use of the monies when that happens, but the whole point of this is to combat organized crime. Clearly, we have the leadership here to do that.

**Mr Peter Kormos (Niagara Centre):** The member for Timmins-James Bay, Mr Bisson, made it very clear, in what was a very capable analysis of Bill 30, that New Democrats are sympathetic, let's say, to the Attorney General's motives, no quarrel with that. But we participated in the committee hearings last time around, and it was very clear that there are some distinct dangers in legislation like this Bill 30 that, when it is applied to criminal conduct, uses the civil standard of proof, uses the mere balance of probability, the 51%-49% balance, as compared to the criminal standard of proof beyond a reasonable doubt.

The Criminal Code already contains provisions. Do they create some hurdles for prosecutors attempting to seize personal property? Of course they do, as they should in a free and democratic society, because you want to ensure that while on the one hand you're prosecuting criminals and, yes, you're seizing the proceeds of crime, on the other hand you want to make sure that no innocent person becomes victimized by the application of that law. That is the essence, I tell you, of our opposition to Bill 30. We opposed it last time around; we're going to oppose it this time around. Howard Hampton is going to be speaking to the bill; Rosario Marchese from Trinity-Spadina is going to be speaking to the bill. Rosario was not on House duty this evening but he insisted on the opportunity to address this bill because New Democrats are concerned about the rights and the welfare of those innocent people who can be all too readily victimized by this very loosey-goosey legislation.

**Hon Mr Young:** I appreciate having an opportunity to comment on the remarks made earlier this evening by the member for Timmins-James Bay. Let us not forget what

our motive is in bringing forward this bill. It is designed to essentially take away the lifeblood of organized crime. I appreciate that some members of the opposition would be quite content to have organized crime carry on and not have any serious attempt made to change the status quo and, frankly, the status quo is not working.

Let me tell you, my friends opposite go on and on about how this bill really does nothing more than does the Criminal Code. I tell you that anyone who has read his bill and is familiar with the provisions of the Criminal Code would say that is not the case. They are two different things. In this case, we are talking about the return of property. Property can be returned in various instances—yes, sometimes at the conclusion of a criminal trial upon conviction, but sometimes there is no one to charge. Sometimes a victim knows their property is elsewhere, knows it was taken as a result of unlawful activity, but there is no one to charge because, as an example, the person may have died; the person who engaged in that unlawful activity may have died. There is no one to charge, there is no one to convict and there is no way of returning the property to the victim. Another instance that happens with some regularity, when talking about organized criminals, is a situation where people leave the country. They commit a crime, they get property, they get that property as a result of unlawful activity, take it away from innocent victims, but there's no one to charge. So there is no criminal process that one can turn to in order to allow for the return of the property.

A great deal has been said about the standard of proof that is used. The standard is a balance of probabilities, and that is the standard that has been used in this province for 140 years. I suspect that if the members opposite stopped and thought about it, they would realize that is the appropriate standard.

**Mr Agostino:** I had the opportunity to read this bill in its previous life, in the fall, when it was before the House. Again, the concerns that were expressed before still stand. We believe that this bill has too wide an approach, that often, as we try to get the bad guys, we end up nailing innocent people as well through the powers this bill has. When you look at the reality, if this government is as sincere about fighting crime as they say they are, I really find it interesting to see the life of this bill. It was announced in the *Toronto Sun* in May 2000 that they were going to do this. Then they hosted all these conferences. The Attorney General at the time travelled around the world hosting summits. Then there was a summit here. Then the bill, with all the fanfare, was introduced in the fall. This is a government with a majority in the House that can pass the bill if it wants to. They decided they were going to let it die. It wasn't that much of a priority. It wasn't that big a deal for this government. Now, they reintroduce it again. So this is the third or fourth photo op they're going to get off of this bill.

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The reality is that there are powers already within the Criminal Code. Let me relate something that was at the committee. Professor Margaret Beare of Osgoode Hall

said Ontario is the province that uses the existing power of seizure less than some of the other provinces. Again, the get-tough-guys on organized crime and criminals across the province tend to use the legislation already there less than many other provinces.

If you're serious, you give the police more resources. You give the police more money. You allow the hiring of more police officers. The reality is there are fewer police officers in Ontario today than there were when this government came to power. That is how you can attack this, not by some feel-good opportunity here to stand up and have a photo op and pretend you're getting tough on crime. The reality is, you've delayed this bill, you've delayed the passage of this bill. You could have passed it in the fall; you could have passed it last spring. Why haven't you done it? You talk the talk, but you don't walk the walk once again. These guys talk like they're tough on crime. They're soft; they're wussies on crime.

**The Acting Speaker:** The member for Timmins-James Bay has two minutes to respond.

**Mr Bisson:** Thank you very much to the members from Welland-Thorold, Hamilton, the Attorney General and others.

I just want to say that I'm somewhat troubled now after hearing from the Attorney General, because I would think most members in this Legislature would know—and certainly someone in the legal profession would know—that the Attorney General has a dual role. He is a member of cabinet by right of being appointed by Mike Harris to cabinet, so we understand he's a politician and he will engage in political sport. But he also, in that dual role, has to be somewhat independent over how law is applied and how the court proceedings in the province go. For the Attorney General to stand up, as he did earlier, and say, "We're not interested in being able to deal with these issues," I think he should say it outside.

It's amazing that an Attorney General would get up and actually say that, because the reality is—I would hope as a citizen, never mind as a legislator—that the Attorney General believes and understands and holds dear the value in our democracy, which is that there has to be a burden of proof.

**Mr Kormos:** They don't want that.

**Mr Bisson:** No. My good friend, Mr Kormos, says they don't want to because they don't like criticism, and that's exactly the point.

I would hope that the Attorney General understands that you don't go out and seize people's assets unless they've been not only charged but convicted. I want to see a conviction, and then it's fair game. Of course, go out and get the money. As I said in my speech, go out and get the money, then direct it to the victims. Don't put it in the general revenue fund, as you suggest it is going to, or allow the police to apply for grants under this fund, because at the end of the day it really does nothing to help the innocent victims. If you're serious about helping the victims and curbing crime, I would say beef up those provisions that allow you to get to the assets once somebody has been charged and convicted. Then after

that, make sure the monies are directed to the victims of crime so that they can get justice in the end. That's what this should be all about.

**The Acting Speaker:** Further debate?

**Mr Howard Hampton (Kenora-Rainy River):** I'm pleased to be able to take part in this debate because I think it's necessary to first of all penetrate the government's announcement and re-announcement and the spin around this legislation and then get down to the reality of what happens under this legislation.

When the government announced this legislation, they did it in such a way that would have the people of Ontario believe that suddenly the government is going to go out there and anybody who has ever engaged in the drug trade is immediately going to have their property seized and the government's going to be able to seize millions, if not tens of millions, of dollars in bank accounts and the government is going to seize mansions and this government is really going to do a number on organized crime. That's what they would have people believe. That's the spin that this government has generated around this legislation.

If that were true, if that were really the case, one would have thought that the government then would have proceeded with the bill through first and second reading and out to committee and third reading and would have passed the legislation. But the people of Ontario deserve to know that's not what happened. In fact, what the government did was announce the legislation, held a big press conference with all the photo ops and everything—but first they announced it not as this bill, Bill 30, but as another bill. I believe when it was first announced it was called Bill 155, and this is going back over a year ago. So they announced it, with lots of media spin, the cameras, the backdrop, and the bill went nowhere. This bill, that was supposedly going to handcuff organized crime and result in the assets of organized crime being seized overnight, went nowhere.

What did they do after announcing it, after bringing it in the House here and doing nothing with it? They waited a few months and they announced it again. So they got lots of hoopla, lots of television cameras, big backdrop, lots of tinsel, lots of glitz, lots of gleam, but still no law.

That should tip people across Ontario off immediately. When the government introduces a piece of legislation and then does nothing with it—doesn't take it through second reading, doesn't take it to committee, doesn't take it through third reading and implement it—and instead lets it die on the order paper, and then a few months later reintroduces it with all the hoopla, it should tell people there is not a lot of substance here. This is a government that's trying to tell you once again, trying to spin you the line that they're going to do something serious about crime, when in fact the number of police officers in the province is down, the number of cases in our criminal courts that are being plea-bargained is going up, and in fact this government's record in terms of dealing with crime is quite deplorable. It is a government that is starving the criminal justice system of the resources that

it needs in order to deal with and address and convict criminals in a way which the public has every right to expect.

This is another case of the government spinning an announcement, spinning an announcement again, but when you look under the cover there's not much there.

I want to deal with the substance of what the government has been saying. I want to deal with what they've said in their press conferences, the impression they've tried to create that suddenly, if this legislation is passed, they'll be able to scoop in and grab this \$10-million bank account that was somehow the proceeds of the drug trade, or they'll be able to scoop in and grab this account. I want people to have a sober second thought about this.

If this is going to work, at the very least the Attorney General will have to go to court in a civil case. He will have to go to court and he will have to present the argument, and organized crime—the big organized criminals that this government says have money in their pockets—do you think they're simply going to fold their tent? No, they're going to go out and hire the best lawyers they can get. They're going to spend as much time as they can on all kinds of procedural motions. They're going to spend as much time as they can in terms of showing that the government doesn't have a case.

I want people across Ontario to understand that there is a civil case in our courts right now where the George family is suing the Premier of Ontario and the former Attorney General and the former Solicitor General and the former Minister of Natural Resources in a wrongful death trial. The Premier, by all accounts now, has spent over \$1 million—in this case it's taxpayers' money—on procedural motions to delay that wrongful death civil trial, on procedural motions to slow it down, on procedural motions to keep documents from being public.

So even this impression that the government has tried to create that suddenly, quickly, they will be able to reach in and scoop the money, million-dollar bank accounts, mansions, even the fact that they have tried to create that impression is false. If this government thinks they're going to use this legislation to go after the people who get the big money from organized crime, the people who get the big benefit and the big bank accounts from organized crime, this government will be in court not for many months but for many years, and the cost in terms of mounting one of the investigations and then the cost of bringing the civil trial will be literally several hundred thousand dollars, potentially millions of dollars.

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At the very least, those people who might be linked to organized crime out there, those people who might be the kingpins of organized crime, are simply not going to fold their tents and say, "Here, take my bank account." They're going to fight this, just as the Premier has spent over \$1 million defending himself in a civil trial. That's exactly what's going to happen.

I bet you might find that some small-time operators out there, some people who are sort of at the bottom end of a criminal gang or at the bottom end of somebody

who's dealing in drugs, who don't have a lot of money, will be susceptible to this. They might have their trailer home seized or they might have their car seized, but that's small potatoes. This government is not in any way going to be able to use this legislation to touch those people who are at the top of the drug chain or those people who are at the top of other organized criminal activities. You know what? The evidence from other jurisdictions shows that is the case.

I want to quote from somebody who knows something about this. This is again Tom Naylor, who is at the Nathanson Centre for the Study of Organized Crime and Corruption. This is somebody who spends his time looking at what organized crime does, how organized crime organizes itself, where the money goes. He says that organized crime is mostly made up of "small-time operators with short career life expectancies, whose earnings are generally modest and almost always blown on fast living, leaving little or nothing left to seize. Forfeiture will, at best, fill the coffers with the trailer homes, cars and motorboats of ordinary citizens with no sign of the narco-barons' mansions, yachts or gold-plated bathtubs." People who work in this field, people who have studied other jurisdictions, know that this is a bunch of fluff, that this will do nothing to attach the bank accounts of people who really profit from organized crime. They know that, and that's why this government is yapping and yipping here tonight, because they don't want the public to hear that. They don't want the public to know what people who are knowledgeable in this field really know about.

But I want the ordinary citizens of Ontario to realize something else about this legislation, because while the government says they're going to go after the big guys and they're going to attach the bank accounts of the big guys, and the people who are knowledgeable in the field say, "Nonsense; it doesn't work that way," ordinary people do have something to fear from this legislation. I'll tell you why. I want people who might be watching to get a copy of part V of the act, specifically subsection 17(1). It says, "In proceedings under this act, proof that a person was convicted, found guilty or found not criminally responsible on account of mental disorder in respect of an offence is proof that the person committed the offence." Fair enough. But then it says in subsection (2):

"In proceedings under this act, an offence may be found to have been committed even if,

"(a) no person has been charged with the offence; or

"(b) a person was charged with the offence but the charge was withdrawn or stayed or the person was acquitted of the charge."

In our system of justice, we have always believed at the very least that before someone is to suffer a penalty at the hands of the state, at the hands of the government, they should at some point have been found guilty of a crime. But in this legislation it says very clearly, "... an offence may be found to have been committed even if,

"(a) no person has been charged with the offence; or

"(b) a person was charged with the offence but the charge was withdrawn or stayed or the person was acquitted of the charge" by a jury.

Those ordinary people in Ontario who maybe don't have the bank account of one of the drug barons so that they can go out and hire themselves the best lawyers on Bay Street, those ordinary people who, as far as they know, have never been charged with an offence, who have never been convicted of an offence or who were acquitted of an offence, ought to worry about this section. They ought to worry about a government that wants to have the power to come after them, notwithstanding the fact they have either never been charged with anything or have never been convicted of anything.

It's really quite something to see this kind of legislation, to see these kinds of words, these kinds of clauses, in legislation which could come and take your house away tomorrow, or could come and take away your bank account. You don't need to have been convicted of an offence, you don't even need to have been charged with an offence, or you could have been acquitted of an offence, and yet this government wants to have the power to come and say, "We think your property was somehow obtained in some nefarious way and we're going to take your property away." It's quite incredible.

There are some other points I want to make. This legislation is not new. This legislation actually started in the United States in the late 1950s and the early 1960s. It was called the RICO legislation or the RICO statute, RICO standing for "racketeer influenced and corrupt organizations." So this legislation has been around in the United States since the late 1950s and the early 1960s. It was brought in in the United States in the late 1950s and early 1960s so that the drug trade in the United States could be dealt with, so that the people who run the illegal gambling operations in the United States could be dealt with, so that the people who run the illegal prostitution rings in the United States could be dealt with.

This government, through their press releases, would have you believe that once you have this legislation, boy, you can really go out there and do something; this is really going to shut down organized crime. I ask any reasonable person who might be watching tonight to reflect upon the results and the history in the United States. The legislation has been around for 40 years now in the United States. The drug trade in the United States is making more money than ever. The drug trade is now a more serious problem in the United States than ever. Organized crime in the United States, in terms of what it is doing and the amount of money it has, is a more serious problem than at any time in the history of the United States.

How do you square this government's public relations announcements with the reality that's happened in the United States? How could it be that despite this legislation in the United States, organized crime has grown, and the drug trade has grown more than anything else? That seems to belie everything this government has been saying in their press releases. It seems to belie the two

trumped-up, glitzy, glossy announcements this government made, and it still hasn't passed the legislation. If this government's claims were correct, then the drug trade in the United States would be a thing of the past. If this government's claims were correct, then the FBI in the United States and the Drug Enforcement Administration in the United States would have seized the millions and the tens of millions of organized drug trade barons in the United States. But that hasn't happened. It hasn't happened in any shape or form.

2110

In fact, the history in the United States has been, just as Mr Nathanson said, that the big-time criminal operators who have the money to defend themselves, who can spend \$1 million defending a civil suit—and this government ought to know about spending \$1 million to defend someone in a civil suit, because you're spending \$1 million of public money right now defending the Premier in a civil suit—in the United States have been able to get around this legislation with no trouble whatsoever. Who have been captured or caught by this legislation in the United States? The very people Mr Nathanson refers to: small-time people, people who are at the bottom of organized crime, people who think, "Maybe I can make a few bucks this way," people who get lured into peddling drugs, who get none of the money but they get lured into it, are who this government is going to catch. It's going to be very similar to what has happened in the United States.

But people need to know that something else has happened in the United States. In fact, there have been widespread abuses of this legislation in the United States. There has been example after example where innocent people, who have had no connection to organized crime, have either had their property seized or tied up in such a way that they're financially ruined and their reputations are ruined. That is what has happened and that is on the record.

Not only that, but what has tended to happen is that in the case of many police forces the police, rather than going after violent criminals, criminals who commit assault with a weapon or criminals who brutally beat someone, instead of going after brutal crimes like that where there is no money, tend to leave the brutal and violent crimes alone and go after places where they think they can get money.

What an undermining of the criminal justice system, when the police start deciding what case they'll go after, what case they investigate, not on the basis of how seriously someone has been injured or how badly someone has been beaten up or how violent the attack was, but on the basis of, "How much money do you think we can seize if we go after this person civilly?" What a perversion of the criminal justice process.

In fact, the American legislation, the civil process under the RICO statute, has been brought back before a number of congressional committees in the United States because Congress, the lawmakers in the United States, have become worried about the abuse of this legislation

in the United States. They have become concerned with, in effect, the police going after someone who they think has money and ignoring the other serious crimes where money might not be involved.

I would hope the Attorney General, who ought to be interested in the proper administration of justice, not just in promoting the government's propaganda, sits down and looks at what has been given in testimony before those congressional committees in the United States.

**The Acting Speaker:** Comments and questions?

**Mr Dunlop:** It's a pleasure to make a few comments on the second reading of the Remedies for Organized Crime and Other Unlawful Activities Act. It's interesting to hear the comments coming from the member for Kenora-Rainy River.

The intent of this bill, as we see it, is to use civil law to disrupt and disable corrupt organizations by taking away their illicit profits and to help the victims. This legislation is necessary because organized crime is here in Ontario, just as it is in other countries around the world. Organized crime does not stand still; it changes with the times. The old stereotypes are just that: out-of-date stereotypes. Organized crime is more sophisticated today, using new technologies and forming strategic alliances among many different groups.

The cost to our economy is very high, but there are other, non-economic costs as well. The value of the illicit drug market here in Canada is between \$7 billion and \$10 billion a year. Illicit drugs are readily available in our communities and reduce our quality of life. Contraband goods of inferior quality can threaten our safety. Our credit card information can be illegally copied and used to create counterfeit cards, costing Canadians \$127 million a year. Car theft is also organized. Many stolen vehicles are sent overseas and sold in other markets. According to the Insurance Bureau of Canada, this activity costs the insurance industry \$600 million per year. It costs each of us an average of \$48 added to our insurance premiums. That's a high cost to our economy. Fraud has a very high cost. Telemarketing scams alone cost Canadians \$4 billion a year. The personal misery that fraud imposes on individuals and families is incalculable.

I support this second reading and Bill 30 wholly and I've appreciated the opportunity to make a few comments.

**Mr Kormos:** The leader of the New Democratic Party has presented, in the brief time permitted, a very thoughtful critique of this bill. I understand, as all of us do, that this Legislature is partisan. I am amazed and disturbed by an Attorney General who, in an incredibly petulant way, in response to what is meaningful debate—quite frankly, it hasn't been offered by the Liberals. They've chosen not to participate in the debate. They said, "No, we don't want to participate in the debate. We are going to facilitate the speedy passage of this legislation. We are not prepared to engage in a critique or an analysis of it." That's fine; that's their choice.

But we New Democrats aren't going to abandon or abdicate our responsibility to our constituents and to the people of this province. Our job is to engage in the debate, to assist in the analysis and to provide critiques. For the Attorney General to suggest that somehow opposition members who provide a legitimate critique of this legislation with concern about the welfare of innocent people and with concern about the real need to effectively combat crime, New Democrats then, as suggested by the Attorney General, are somehow on the side of organized crime—what rubbish; what foolishness; what sad, regrettable talk from an Attorney General.

I've witnessed a succession of Attorneys General in this Legislature over my time here. I have never seen conduct from an Attorney General that the Attorneys General of this Conservative government have displayed, ever, in my time here in this Legislature.

**Hon Mr Young:** I thank the previous speaker from Welland-Thorold, the former Attorney General—no, I guess he was never Attorney General. I'm sorry. But I thank him for his comments and the leader of the third party as well for his comments this evening in the Legislature. Unfortunately they appear to be comments that have little or nothing to do with the bill in front of us and the events leading up to the introduction of the bill here today. There was no press conference today. They went on and on about a press conference. They went on and on about photo ops. There were none; not one. Today we proceeded to the Legislature and we asked the Legislature to expedite the passage of this very important piece of legislation, a piece of legislation that, if passed, would give us yet another tool, in addition to the criminal law, to combat organized crime.

The problem, as the member from Simcoe North so eloquently indicated, is growing in this province and throughout Canada. Many countries around the world have indeed resorted to similar measures: Ireland, where they've achieved great success; South Africa, where they have achieved some level of success; and indeed the United States is another country that has attempted to utilize civil forfeiture, in certain cases with success. It is true that the RICO laws, when introduced in the United States, did pose some problems, and there were some examples of abuse. One of the few things the leader of the third party said that I wholeheartedly agree with is that the congressional hearings that took place were important and that they caused the civil forfeiture laws in the United States of America to change.

Our bill is not like the original RICO laws. It does reflect many of those changes, but it is different. It is different and reflects the best of legislation from throughout the world. Probably it's most similar to that in Ireland, but it's a unique bill that is appropriate for Canada and for Ontario.

2120

**Mr Bisson:** I just want to say to the leader of our party that the points made by him are exactly what we've been trying to put forward to the government. We, as New Democrats, are not saying we don't have to find mechanisms

to deal with how you get assets away from people who have been charged and convicted of a crime. Nobody argues that. All of us understand there is some measure of good in being able to do that. However, the point is that in my view, and I think in the points the leader raised as well, there are a couple of problems in this legislation. First of all, you're doing this in such a way that in some cases you won't have to have a conviction to get the assets. We, as New Democrats, worry that that is not in keeping with the idea of just law and presumed innocence within a society. You can go out and smear somebody and say, "We accuse you of having done whatever," go through the civil proceeding and strip their assets, and they could be innocent and not even have gone to trial. We're saying that's not the way things should operate. I wonder if that would stand up under the charter.

The other point we made, and I think it is the important distinction we make on this, is that if you're really trying to help the victims, and if you're going to do this in a way that allows you to get at the assets when the person has been charged, then make sure the legislation says the money doesn't go to general revenue but instead is diverted directly to victims of crime programs such as the Criminal Injuries Compensation Board, so victims can get some measure of compensation if they're entitled to it. Instead, what you've got here is a mechanism for the money basically to go back to general revenue and powers for the Minister of Finance to do whatever he wants with it. If that's not your intent, take it out of the legislation and make the money go directly to those victims of crime. Then maybe we can support a bill like this. Certainly something has to be done, but this is not going to do it.

**The Acting Speaker:** The leader of the New Democratic Party, from Kenora-Rainy River, has two minutes to respond.

**Mr Hampton:** I want to thank everyone for their comments, but I want to repeat again, and it's interesting that no one from the government side has any information to offer to refute this: if you believe the bombastic statements this government made when they first announced this legislation, you would believe that after the government has this legislation they'll be able to sweep in and literally wipe out the drug trade in Canada. If you believe that, then reflect upon the fact that since this civil forfeiture legislation has been in place in the United States, organized crime and the drug trade have flourished. They have grown virtually exponentially. All this legislation has done in the United States is allow governments to go after the small-time operators: not the people who make the money, not the people who do the planning, but the little guys at the bottom who are often put out as cannon fodder should there ever be any kind of police investigation.

The other reality people had better recognize—and this is the history in the United States—is that those people who are criminals, who are part of criminal gangs, criminal organizations that have money, get to bargain

their property so they don't do jail time as a result of this kind of legislation. Meanwhile, a poor person who is charged with a crime, who doesn't have any money to bargain, does jail time. In other words, what's happened in the United States, either directly or indirectly as a result of this legislation, is that people who have money buy themselves out of jail time and people who don't have money go to jail because they don't have money. Where's the justice in that?

**The Acting Speaker:** Further debate?

**Mr Rosario Marchese (Trinity-Spadina):** It's good to have this opportunity to speak to Bill 30 tonight. It's 9:25. I've got five minutes this evening but will continue another time, another evening when this government calls this bill.

It's important to debate these bills, because this government, under the guise of being tough on crime, would love to have speedy passage of this bill, would love the Liberals and New Democrats to simply say, "Yes, go right ahead." You see, I understand the politics. All they want to do is accomplish one thing with the public: that this is the government that's tough on crime. It doesn't want to hear from New Democrats when they say, "We've got some concerns."

The Attorney General would rather that we stand here, not deal with any concerns we might have that could jeopardize some people, that could, under this sweeping law, bring in some innocent people to be charged with a potential crime. They don't want us to raise those questions. They simply want us to go along with any law they introduce under the assumption that whatever they introduce is OK, is almost perfect. Yes, perhaps down the line they might have to clear up some glitches, but at the moment it's a perfect law.

The member for Niagara Centre and our leader, Howard Hampton, both know these things very well because they're lawyers. But do you recall, both of you—

*Interjection.*

**Mr Marchese:** Well, you are. Some lawyers are good, and some are not so good. But the two of you are good, in my opinion.

Do you remember when this government introduced the Victims' Bill of Rights? You remember that, right? The Conservative government introduced a bill that said victims had rights, and that's why they called it the Victims' Bill of Rights. It was supposed to confer rights on victims. Wasn't that the case? That's what the bill said.

**Mr Kormos:** That's what Charlie Harnick said.

**Mr Marchese:** Charlie Harnick, the former Attorney General, said that. I remember Charlie.

**Mr Kormos:** Fondly?

**Mr Marchese:** He was a nice guy, really, from time to time.

We were led to believe that victims had rights. But Judge Day ruled that victims do not have rights; in fact, that the Victims' Bill of Rights does not confer any rights on victims. This is a judge; it's not Rosario Marchese, a former teacher of English and French. This is a judge ruling on this bill and saying there are no rights contained in the bill. But the Attorney General and others would insist that's what the bill says.

If we believe them, this bill, the Victims' Bill of Rights, confers rights. But mercifully, thankfully, we had Judge Day saying, "No, it doesn't." So they had to go back to the drawing board, but in a hushed sort of way so they wouldn't be noticed.

**Mr Kormos:** And that's what New Democrats have been telling them.

**Mr Marchese:** New Democrats, through Peter Kormos and our leader—and Marion Boyd at the time—had been telling them the bill had no rights contained in it for victims. We told them that. But no, they had to insist. Why did they insist? Because the politics of perception is what matters. You as a government have to be seen to be doing something, irrespective of whether the bill will actually do anything to deal with issues of crime.

Do you remember as well the Parental Responsibility Act? Do you remember that? I have to sort of probe this little mind of mine to recollect what that bill said. Do you remember that it would allow people to take to court and sue the parents of young men or women who presumably had committed some crime or other, and there would be a fine—I think it was 6,000 bucks or so? But Peter Kormos, our critic, said at the time, "We already have a law that deals with this. Why would you introduce a bill that gives less powers to the government to do what the law already allows?" Under the current law then, you could in fact sue a parent for a higher amount than \$6,000 for damages. But no, this government introduced that bill as if it introduced a new law.

Speaker, are you watching the clock? If it's all right with you, I will sit down and come back to this quite happily.

**The Acting Speaker:** Every member having had his just due, this House stands adjourned until 1:30 tomorrow.

*The House adjourned at 2130.*

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Clerk / Greffière: Tonia Grannum

## CONTENTS

Monday 1 October 2001

### SECOND READINGS

#### **Rescuing Children from Sexual Exploitation Act, 2001, Bill 86,**

*Mr Young*

Ms Churley .....	2255, 2259, 2263
Mr Coburn .....	2258
Mr Sergio .....	2258
Mr Bisson .....	2258, 2259, 2264
Mr Young .....	2259
Mrs Elliott .....	2263
Mr Bartolucci .....	2263
Mr Tsubouchi .....	2263
Agreed to .....	2264

#### **Remedies for Organized Crime and Other Unlawful Activities Act, 2001, Bill 30, *Mr Young***

Ms Churley .....	2264, 2268
Mr Dunlop .....	2267, 2276
Ms Di Cocco .....	2267
Mr Bisson ....	2268, 2269, 2273, 2277
Mr Young .....	2268, 2272, 2277
Mr Tsubouchi .....	2272
Mr Kormos .....	2272, 2276
Mr Agostino .....	2273
Mr Hampton .....	2274, 2277
Mr Marchese .....	2278
Debate deemed adjourned .....	2278

## TABLE DES MATIÈRES

Lundi 1<sup>er</sup> octobre 2001

### DEUXIÈME LECTURE

#### **Loi de 2001 sur la délivrance des enfants de l'exploitation sexuelle, projet de loi 86, *M. Young***

Adoptée .....	2264
---------------	------

#### **Loi de 2001 sur les recours**

##### **pour crime organisé et autres activités illégales,**

projet de loi 30, *M. Young*

Débat présumé ajourné .....	2278
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